

Village of Cottage Grove
Police Department Operational and Dissolution Evaluation

Moffett and Associates, LLC

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Introduction to Study: Moffett and Associates, LLC conducts its studies focusing on developing recommendations that are closely linked to high impact practices in policing and are drawn from findings driven from objective performance management and policing research. These findings are derived from qualitative and quantitative performance measures that are founded in decades of peer reviewed research and are applicable in all communities. These methods require comparison of data from comparable reporting pictures, which is then analyzed community by community identifying and measuring efficiencies, effectiveness, and performance while providing guiding metrics for common industry standards and safe performance guidelines. The measurements are evaluated and achieved through data collection, onsite observation of police personnel, interviews, research, reviews of relevant literature, statutes, regulations, nationally accepted standards of police organization, comparative evaluation of police industry standards, meetings, analysis of data, and the experience of our staff.

Scope of Services: The contract executed between Moffett and Associates, LLC and the Village of Cottage Grove details the scope of the project.

Evaluation Process: During our interview process in the Village of Cottage Grove we reviewed approximately 935 pages of social artifacts and records, conducted anchor based field interviews with employees and stakeholders, surveyed 12 employees using 74 performance dimensions and conducted a “micro study” of agencies of similar demographic and geographic compositions located within greater Dane County communities. The consultants also conducted a community survey designed as a cross validation tool to identify the gaps between the community’s general perceptions and the priority for improvement to the department.

During the course of our research, we accessed approximately 1100 pages of study documents and extrapolated from those documents best practices to fit a community that is jointly funded and managed which has resulted in several unique policing challenges. When appropriate we utilized the best practices from the Field Operations Division of the International Association of Chiefs of Police (IACP), Washington, D.C., and the standards for law-enforcement agencies of the Commission on Accreditation for Law Enforcement Agencies (CALEA), Inc., and Gainesville, Virginia. Over the years, Moffett and Associates, LLC has developed a scientific approach of propelling policing in the twenty-first century by focusing on high-impact practices. Although no system is perfect, because

ours emphasizes performance methods based on carefully documented subjective evaluations, post-evaluation action planning has proven to be extremely successful.

Implementation of Recommendations: Our report should act as a blueprint for both the village and police administration. The Village should have periodic meetings with the police administration to ensure that recommendations are executed in a timely fashion and then reevaluated every three months for efficiency and effectiveness. All of the recommendations are practical and sensible and can be implemented within a reasonable period of time. The recommendations will require an investment in staffing time and dollars. The report contains 6 staffing recommendations and 113 operational recommendations.

Considerations Impacting the Study: The study was requested by the Village of Cottage Grove after a vote to evaluate the dissolution of an agreement for policing services between the Village of Cottage Grove and the Township of Cottage Grove. A study which is best described as a “fiscal impact evaluation for dissolution” was conducted by Baker Tilly, which generated a great deal of discussion surrounding the quality, quantity and perceived need for local police services. The dissolution discussion is historical and has taken place at various points in time, largely focused on financial issues and disagreements and the responsibility of each partner. Unfortunately, these historic discussions have created a high level of uncertainty among staff that is deeply embedded in the department’s culture, having affected budgeting, planning, recruitment, organizational trust, retention and short-long term planning. These issues created “challenges” when accessing and evaluating data and although the staff was extremely cooperative, the overall disposition of the agency toward the future of the department is not optimistic.

A variety of other limitations and observations should be highlighted for the reader, as they are relevant to the report content:

- The current Chief began employment on March 5, 2012. A great deal of the report’s recommendations involve issues that generated data and findings which precede his employment.
- Several of the findings and recommendations are linked to the police facility, which will require a longer term remediation strategy and deliberate financial planning.
- From approximately 2005 through 2008, the department moved from a locally managed records management system to a county wide records management system. As is often the

case with data (records) conversion, a great deal of historic baseline data was sacrificed in the conversion, and a new administrative system for managing day-to-day operational activities had to be implemented. Ultimately this creates baselines of activity from year to year that are difficult to compare; however, the department and consultants made every effort to segregate data that was relevant to this project to address this challenge.

- Dissolution agreements are rarely written with an eye toward separation, and are often tied to actions which create “unintended consequences.” Essentially, there is not a clean, manageable and efficient method to effectively separate public services that clearly severs liability for past civil and criminal acts. As it relates to policing, the partnership between the Village and Township will continue until laws related to retention of records, employment, and professional police liability dictate absolute separation.
- The challenges associated with managing a police department that operates through reporting relationships through four entities are complex (e.g., Village Board, Town Board, Law Enforcement Committee, and Police Commission). Police departments are driven by public policy derived through the guidance of these boards and committees. Unfortunately, the complexity of the reporting relationships has created inconsistent police practices, sending mixed messages to the department’s staff and the community. These inconsistencies have created noticeable gaps in communication between the committees/boards and the police department. These gaps have generated anxiety about the quality of policing services and have raised important questions regarding shared expenses and fiscal accountability between the Village and the Town. The Village’s decision to evaluate the department’s operations and to measure that evaluation against the dissolution options is both timely and prudent.
- The department is staffed by dedicated people who are fiercely defensive of one another and of the department’s legacy. Although morale is low, the employees remain passionate to fulfill their commitment to the community. It is this focus that will allow them to work together as a team to follow through on the recommendations of this report.
- As noted in studies conducted by Baker Tilly, the Village of Cottage Grove has an extremely low comparable per capita cost for policing.

Introduction to Staffing and Resource Allocation

The staffing of a police agency depends on a number of considerations, all of which must be carefully examined and critically evaluated. The number of personnel that are considered sufficient to meet the law enforcement needs of a community depends on the physical size of the community to be policed, the population in the community, the impact of Interstate traffic, if applicable, the demographics of the community, the expectations of citizens who are being policed, and the crime trends. After the above have been factored into the equation, elected leaders must consider the needs and wants of the citizens versus the community's ability to pay for, not only law enforcement, but also all the other services that a municipality is expected to furnish its citizens. Once that balance has been achieved, police managers must constantly review staffing needs to ensure that the expectations of the citizens are being met in the most efficient and economical way possible.

The major components for review of Cottage Grove's police staffing will focus on the following:

- a review of uniform crime reporting (UCR) data;
- a review of staffing/calls for service;
- a review of scheduling and minimum staffing;
- a review of Village vs. Town officer activity; and
- a review of accepted and industry best staffing practices.

Current Conditions for Staffing

The Cottage Grove Police Department¹ provided staffing history for the calendar years of 2011, 2012 and 2013. The current Cottage Grove Joint Law Enforcement Agreement (commonly referred to as the LEC agreement), requires staffing at a rate no less than 1.3 officers per one thousand (1000) residents of the combined populations of the Municipalities.

Command Staffing: The current command staff for the department is the Chief of Police. The Chief works a typical eight hour shift in the department's standard uniform apparel during "normal business hours," Monday thru Friday. In the absence of unique circumstances, the Chief is off on traditional national holidays. During interviews it was noted the Chief is often at work well beyond an 8 hour shift and is "on call" when not physically at work.

¹ Joint department serving the Village and Town of Cottage Grove jurisdictions

Patrol Supervision Staffing: The current patrol supervision is handled solely by the Chief and there are no other supervisors to supervise the department during the Chief's absence. In the recent past, the department was staffed with two supervisors at the rank of Sergeant. In September 2012 one sergeant resigned the rank and assumed a patrol position and in October 2013 the other sergeant resigned the rank and assumed a patrol position. During the 2014 budgeting process (fall of 2013), the sergeant's positions were eliminated from the department's staffing structure and relevant funding was reallocated to staff a Deputy Police Chief in the second half of 2014. When the Village announced their intent to pursue dissolution of the joint department, the Deputy Chief recruitment was suspended.

Investigative Staffing: The current investigative staff for the department is one full-time Detective, an assignment² only position (not a promoted rank position). The Detective receives an hourly pay incentive (\$0.50) over that of a patrol officer and normally works an eight-hour shift in typical civilian business apparel. The Detective assignment rotating schedule changed in January 2013 from the patrol 6-3 schedule³ to a Detective 5-2 schedule⁴. In the absence of unique circumstances, the Detective is off on traditional national holidays. The Detective is considered to be "on call" when not at work; however, the protocols which detail his responsibilities while off duty are unclear and historically the requirements for response have been inconsistent. The current investigative supervision is handled solely by the Chief.

Patrol Staffing: The current (March-April-May-June 2014) patrol staffing for the department is 9 full time patrol officers (down one officer from authorized staffing level) each working an 8-hour shift over a rotating work cycle. Because of schedule rotations, patrol officers work holidays as their individual work schedule falls on the holiday. Patrol staffing is augmented with part time patrol officers to meet special event staffing and is infrequently used to cover for full time vacancies on the patrol schedule. The spring 2013 patrol officer recruitment and selection process was put on hold because of the lack of quality applicants. The fall 2013 process was cancelled after the Village submitted its letter of termination of the joint agreement.

Patrol Officer Scheduling: The patrol schedule is based on 3 patrol coverage shifts over a 24 hour period, i.e., Day shift (6am-2pm), Evening shift (2pm-10pm) and Night shift (10pm-6am).

² Article 22, Village and Town of Cottage Grove Collective Bargaining Agreement

³ Work day cycle is: 6 on - 3 off = then repeated

⁴ Work day cycle is: 5 on - 2 off, 5 on - 2 off, 4 on - 3 off = then repeated. Pursuant to CBA, the Detective assignment is also covered under the 1947 hours a year rule, which results in the need for every third Friday to be a day off.

Currently, the department does not utilize a swing or power shift, typically between the hours of 6pm-2am or 7pm-3am, to augment staffing as an overlapping shift to evenings and nights.

During some of 2012, the department sporadically scheduled a days-evenings and evening-nights power shifts that were eliminated in 2013. The patrol schedule is based on a 6-3 rotation, e.g., work 6 days and off 3 days. This schedule provides that each officer works 1947 hours annually for an average work week of 37.44 hours. During the rotating 6-3 schedule, each patrol officer has three consecutive days off every other weekend.

The following Table illustrates the patrol work/day off rotation schedule.

Table 1

Patrol Schedule Rotation

Day 1 = On duty 8 Hours	Day 6 = On duty 8 hours
Day 2 = On duty 8 Hours	Day 7 = Off duty
Day 3 = On duty 8-Hours	Day 8 = Off duty
Day 4 = On duty 8-Hours	Day 9 = Off duty
Day 5 = On duty 8 Hours	6-3 cycles ends and is repeated for next work cycle

The department has historically used a “handwritten paper” method to manage the schedule; however, in December 2012 they began using Atlas Business Solutions, Schedule Anywhere,™ an electronic public safety scheduling application. The schedule is managed to allow all staff access to submit requests for time off, overtime approval and other scheduling matters. Only a supervisor (police Chief) or the administrative services manager has scheduling access rights-permissions to make changes. All schedule changes, i.e., vacation, holiday, shift trades, sick, and other leaves or changes are approved by the Chief. Because of the narrow breadth of authority involved with scheduling and varying opinions on the interpretations of the contract and past practice, the processes for approving time off, ordering in personnel for special assignment and assigning overtime are inconsistent.

Cottage Grove Staffing & Call History: The following table shows the department’s three year staffing and call for service history for 2011, 2012 and 2013.

Table 2

3 Year Staffing & Call for Service History⁵

Year	Village Call for Service (CFS)	Town Call for Service (CFS)	Total Agency Call for Service (CFS) ⁶	Total Officers	Total Patrol Staff	Average CFS per Patrol Staff
2011	3,276	1,889	5,165	12	10 ⁷	516.5
2012	3,971	2,563	6,534	12	10 ⁸	653.4
2013	4,298	3,126	7,424	12	10 ⁹	742.4

Call for Service Discussion: The Table 2 reference to Calls for Service (CFS) includes all departmental service activity, whether reported by the public or initiated by an officer, except for the issuance of citations and warning or making arrests of persons. The call for service data collection consists of 90 separate categories.

The average call volume handled by an officer is a general assessment based on the total number of patrol staff and is not correlated to a per jurisdiction (Village vs. Town) analysis. This assessment has an assumption that the Chief and Detective do not handle initial calls that are reported or generate self-initiated calls. The assumption is based on insufficient departmental data regarding the Chiefs or Detectives call volume. These insufficient data sources are related to a minimum of four processes used during the last decade to track this data and one conversion of records management data from the Chief of Police Electronic Retrieval System (COPERS) to the New World Law Enforcement Records Management System (LERMS).

Staffing Discussion: The Table 2 reference to total officers includes the Chief, Detective and police patrol officers. The reference to patrol staff includes only the patrol officers who serve as the primary first responder to a reported or self-initiated incident. During 2011 and part of 2012 the patrol staff included two sergeants, and during part of 2013 included one sergeant. Currently, the patrol staff consists solely of patrol officer classifications. Although during the period of this study the patrol staff is short staff by one officer position, overall, the department's staffing history has remained constant during the three-year evaluation period. The late 2013 recruitment to fill the vacancy was suspended because of a poor quality of the applicant pool.

⁵ Chief Hughes provided the staffing and call for service history.

⁶ Except for DUI traffic crime citations, does not include traffic citations, warnings or arrests

⁷ Included two patrol sergeants for all of 2011

⁸ Included two patrol sergeants for 9 months of 2012

⁹ Included one patrol sergeant for 10 months of 2013

The staffing standard set in the LEC¹⁰ agreement of 1.3 per 1000 residents is currently in non-compliance with the three year study ratio at 1.2. The current authorized strength of full time sworn officers is 12. During September 2012, the Chief chose to not fill a sergeant's position after a resignation and the process essentially eliminated the sergeant's position in the organization. During October 2013, upon the resignation of the remaining sergeant, the Chief chose the same path as in 2012. Currently, there are no supervisors in the department, other than the Chief.

Cottage Grove (Village-Town) Call for Service Shift Comparison: The following, Table 3, illustrates the differential of departmental call for service activity between the three eight (8) hour shifts. Although there are no direct correlations between staffing and activity levels, some general conclusions will be made considering the minimum staffing strategy found on the following pages of this report.

Table 3

Shift Call for Service¹¹ Comparison

	Day Shift 6a - 2p	Evening Shift 2p - 10p	Night Shift 10p - 6a	Total Calls for Service
Village 2011	1016	865	1395	3276
Town 2011	669	494	726	1889
Totals	1685	1359	2121	5165
Village 2012	1361	1009	1601	3971
Town 2012	749	734	1080	2563
Totals	2110	1743	2681	6534
Village 2013	1712	1020	1566	4298
Town 2013	1066	800	1260	3126
Totals	2778	1820	2826	7424

Cottage Grove (Village-Town) Citations Issued Comparison: The following, Table 4, illustrates the differential of departmental citations issued for the Village and Town jurisdictions. The data conversion for the New World Law Enforcement Records Management System (LERMS) resulted in undetermined addressing of citations for either the Village or Town jurisdiction.

¹⁰ Cottage Grove Joint Law Enforcement Agreement dated March 13, 2013

¹¹ Except for DUI traffic crime citations, does not include traffic citations, warnings or arrests

Table 4

Village–Town Citations Issued Comparison 12

	Traffic Citations	Traffic Warnings	Parking Citations	Ordinance Citations	Total
Village 2011	232	171	133	87	623
Town 2011	165	94	0	41	300
Unknown	0	0	0	0	0
Totals	397	265	133	128	923
Village 2012	326	156	162	103	747
Town 2012	286	62	0	65	413
Unknown	78	7	0	14	99
Totals	690	225	162	182	1259
Village 2013	245	132	318	176	871
Town 2013	170	47	0	172	389
Unknown	122	156	0	11	289
Totals	537	335	318	359	1549

Cottage Grove (Village–Town) Arrests Comparison: The following, Table 5, illustrates the differential of departmental citations issued for the Village and Town jurisdictions. The data conversion for the LERMS resulted in undetermined addressing of citations for either the Village or Town jurisdiction.

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¹² Unknown category is based on LERMS records management system 2012 data conversion inaccuracy

Table 5

Village – Town Arrests Comparison¹³

	Adult Arrests	Juvenile Arrests	Total Arrests
Village 2011	105	37	142
Town 2011	83	14	97
Unknown	5	1	6
Totals	193	52	245
Village 2012	113	30	143
Town 2012	68	30	98
Unknown	10	1	11
Totals	191	61	252
Village 2013	209	38	247
Town 2013	183	12	195
Unknown	2	0	2
Totals	394	50	444

Cottage Grove (Village–Town) Total Activity Comparison: The following Table 6, illustrates the total activity the department handled for the Village and Town jurisdictions. The Dane County Sheriff's Office also handled calls for service and issued citations in both the Village and Town jurisdictions. The calls for service handled by the Dane County Sheriff's Office are those incidents when a Cottage Grove officer was not available. The Sheriff's role does not include regular or routine officer back-up or assisting an officer in an investigation or incident. The Sheriff's activity levels (calls & citations) are relevant to assess the overall demand for police service in the Cottage Grove Policing jurisdictions.

For the sake of comparison, the unknown data shown in Table 4 and Table 5 were evenly allocated to both the Village and Town, and where there was an odd number, the higher allocation went to the Village based on the assumption of greater population and probability. Example: The 11 unknown ordinance citations in 2013 were allocated 6 in the Village and 5 in the Town.

¹³ Unknown category is based on LERMS records management system 2012 data conversion inaccuracy

Table 6

Village-Town Total Activity Comparison

	Call for Service (CFS) Activity	Citation Activity ¹⁴	Arrest Activity ¹⁵	Number CFS Handled by DCSO ¹⁶	Number Citations Issued by DCSO ¹⁷	Total Activity
Village 2011	3276	623	145	59	62	4165
Town 2011	1889	300	100	83	968	3340
Totals	5165	923	245	142	1030	7505
Village 2012	3971	747	149	43	109	5019
Town 2012	2563	462	103	234	528	3890
Totals	6534	1209	252	277	637	8909
Village 2013	4298	871	248	63	65	5545
Town 2013	3126	533	196	122	508	4485
Totals	7424	1404	444	185	573	10,030

Minimum Staffing: The department's uniformed patrol function is normally staffed with 10 patrol officers. The department has established a formal minimum staffing requirement of one officer per shift, although the overall management goal is to schedule two officers per shift. The department's scheduling practices were reviewed for periodic work cycles during 2012, 2013 and January – May 2014. The department did not use the Schedule Anywhere software application in 2011. In an effort to maintain day shift staffing, the Chief and Detective are available during normal business hours, Monday thru Friday to cover unexpected and short-term vacancies.

The following, **Table 7**, represents an analysis of staffing levels based on the percentage of shifts during a work cycle that were staff with two officers. Minimum staffing is always one officer per shift. During 2012, the department utilized two power shift scheduling strategies: (1) Day Power

¹⁴ Unknown data in Table 4 included in totals

¹⁵ Unknown data in Table 5 included in totals

¹⁶ Cottage Grove Officer not available and the Sheriff's Office handled the call

¹⁷ Citations issued by Sheriff's Office when deputies were in the Village and Town jurisdictions

Shift (11am to 7pm) overlapped last part of day shift and first part of evening shift; and (2) Evening Power Shift (7pm to 3am) overlapped last part of evening shift and first part of night shift. The department discontinued using power shifts in 2013.

Table 7

Staffing Goal - Percentage of Two Officers Per Shift

Date Range Two 28-Day Work Cycles per Quarter	% Day Shift ¹⁸ 6a - 2p Two Officers	% Day - Evening 11a - 7p Power Officer	% Evening Shift ¹⁹ 2p - 10p Two Officers	% Evening-Night 7p - 3a Power Officer	% night Shift ²⁰ 10p - 6a Two Officers
2012					
01-28-12 to 02-24-12	0%	60.7%	0%	100.0%	0%
02-25-12 to 03-23-12	0%	67.8%	0%	89.2%	0%
04-21-12 to 05-18-12	0%	78.5%	0%	85.7%	0%
05-19-12 to 06-15-12	0%	75.0%	0%	85.7%	0%
07-14-12 to 08-10-12	0%	71.4%	0%	67.8%	0%
08-11-12 to 09-07-12	0%	60.7%	0%	53.5%	0%
10-06-12 to 11-02-12	0%	7.1%	0%	53.5%	0%
12-01-12 to 12-28-12	0%	64.2%	0%	60.7%	0%
2013					
01-26-13 to 02-22-13	71.4%	N/A	75.0%	N/A	21.4%
02-23-13 to 03-22-13	60.7%	N/A	75.0%	N/A	71.4%
04-20-13 to 05-17-13	67.8%	N/A	46.4%	N/A	67.8%
05-18-13 to 06-14-13	53.5%	N/A	71.4%	N/A	53.5%
07-13-13 to 08-09-13	71.4%	N/A	39.2%	N/A	67.8%
08-10-13 to 09-06-13	46.4%	N/A	25.0%	3.6%	67.8%
10-05-13 to 11-01-13	60.7%	N/A	53.5%	N/A	64.2%
11-30-13 TO 12-27-13	35.7%	N/A	28.5%	N/A	67.8%
2014					
01-25-14 TO 02-21-14	96.4%	N/A	78.5%	N/A	92.8%
02-22-14 TO 03-21-14	67.8%	N/A	35.7%	N/A	64.2%
04-19-14 TO 05-16-14	21.4%	N/A	42.8%	N/A	89.2%

Crime Index Offense and Clearance History: One common method of evaluating a police department's performance is to review the crime rate and other information, as set forth in the

¹⁸ Always one officer assigned to day shift

¹⁹ Always one officer assigned to evening shift

²⁰ Always one officer assigned to night shift

Federal Bureau of Investigation (FBI) Uniform Crime Reports (UCR), which are published annually by the Wisconsin Department of Justice, Crime Information Bureau, Wisconsin Statistical Analysis Center, Madison, Wisconsin.

Although helpful, one must remember that this information is victim-based self-reported data and is limited as an indicator of police performance, since it does not take into account such issues as cultural conditions, influence of other criminal justice entities and unreported crime.

Some of the factors known to affect volume and type of crime are:

- population density and degree of urbanization;
- variations in composition of the population, particularly youth concentration;
- stability of population with respect to residents' mobility and commuting patterns;
- economic conditions, including median income, poverty level and job availability;
- cultural factors and educational, recreational and religious characteristics;
- family conditions, including divorce and family cohesiveness;
- climate;
- effective strength of law enforcement agencies;
- administrative and investigative emphases of law enforcement;
- policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional and probation);
- citizens' attitudes toward crime; and
- crime reporting practices of the citizenry.

The Crime In Wisconsin data is typically released toward the end of the 3rd quarter of the year, e.g., 2013 report released in late August or early September. Accordingly, the crime analysis for this project includes the Crime In Wisconsin data for 2010, 2011 and 2012.

Beginning in 2012, the Wisconsin Statistical Analysis Center was transferred from the Wisconsin Office of Justice Assistance (OJA) to the Wisconsin Department of Justice, Crime Information Bureau (DOJ-CIB).

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Table 8

Cottage Grove 3-Year Crime Rate & Clearance Rate History²¹

Year	2010	2011	2012 ²²
CG Crime Index Offense Rate ²³	131	159	165
CG Crime Index per/100,000 Rate	1224	1579	1621
Population of Jurisdictional Reporting ²⁴	9,970	10,067	10,233
CG Violent Crime Rate	9	1	4
CG Violent Crime % Cleared	0%	0%	75%
Dane County (27 PDs) Average % Cleared	53%	57%	55%
Statewide Average Clearance % Rate	50%	52%	50%
CG Property Crime Rate	122	158	161
CG Property Crime % Cleared	10%	8%	17%
Dane County (27 PDs) Average % Cleared	24%	23%	23%
Statewide Average Clearance % Rate	25%	26%	25%

Crime Index Offense Rate: The Crime Index Rate is achieved as a sum total of Violent Crime Rate and Property Crime Rate and is a quick method to assess changes or fluctuation patterns in Part I crimes (definitions below). The department's crime index offense rate has fluctuated between a low of 131 (2010) and a high of 165 (2012), with a three year average of 108. Although some fluctuation exists, the Crime Index Offense Rate appears to be on a gradual increase, especially so for 2010 and 2011, of violent and property crime in Cottage Grove.

Crime Index Offense Rate per/100,000: The Crime Index Offense Rate per/100,000 is achieved as a sum total of Violent Crime and Property Crime based on a formula of crimes per/100,000 residents. In order for one community to compare to another, the FBI measures crime index offenses based on crimes per 100,000 residents. To measure those communities with either more or less than

²¹ Crime in Wisconsin data taken from Wisconsin Department of Justice database.

²² 2012 is the most recent data available from the Wisconsin Department of Justice database.

²³ Crime data was not submitted separately for the Village and Town jurisdictions, but rather as one total for the PD.

²⁴ Combined Village and Town populations.

100,000 populations, the crime rate is established by simple multiplication using the factor of 100,000. The department's crime index rate has fluctuated between a low of 1,224 (2010) and a high of 1,621 (2012), with a three year average of 1,474.6. Although some fluctuation exists, the Crime Index Offense Rate per/100,000 appears to be on a gradual increase for violent and property crime in Cottage Grove.

Violent Crime Rate: The Violent Crime Rate is the actual number of crimes reported by the department that involve face-to-face confrontation between victim and perpetrator. They are: murder and non-negligent manslaughter, forcible rape, robbery and aggravated assault. The department's violent crime rate has fluctuated between a high of 9 (2010) and a low of 1 (2011), with a three year average of 4.6. Although some fluctuation exists, the Violent Crime Rate appears to be a stable representation of violent crime in Cottage Grove.

Violent Crime Clearance Rate: The Violent Crime Clearance Rates are the percentage of crimes that law enforcement agencies have closed/cleared by arresting at least one person involved in the commission of the offense or officially resolved for some other reason. Clearance of violent crimes is generally more successful because they are crimes against a person and the identity of the perpetrator is often known by the victim. The department's violent crime clearance rate has fluctuated between a high of 75% (3 of the 4 reported in 2012) to a low of 0% (2010 & 2011), with a three year average of 25%. The Violent Crime Clearance Rate is significantly less than the countywide or statewide averages, with 2010 having the most impact on unsolved violent crime in Cottage Grove.

Property Crime Rate: The Property Crime Rate is the actual number of crimes reported by the department that do not involve face-to-face confrontation between victim and perpetrator. They are: burglary, theft, motor vehicle theft and arson. The department's property crime rate has fluctuated between a low of 122 (2010) and a high of 161 (2012), with a three year average of 147. Although some fluctuation exists, the Property Crime Rate appears to be a stable representation of population and property crime in Cottage Grove, especially in the past two years of 2011 & 2012.

Property Crime Clearance Rate: The Property Crime Clearance Rates are the percentage of crimes that law enforcement agencies have closed/cleared by arresting at least one person involved in the commission of the offense or officially resolved for some other reason. Clearance of property

crimes is generally less successful because they are crimes against property or crimes of opportunity, and the identity of the perpetrator is often unknown by the victim. The department's property crime clearance rate has fluctuated between a low of 8% (2011) to a high of 17% (2012), with a three year average of 11.6%. Although some fluctuation exists within the department's clearance rate history, the Property Crime Clearance Rate is significantly less than should be expected for an agency with the resources that are in place. In comparison, crimes cleared in Cottage Grove are much less than the countywide or statewide averages.

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Benchmark Comparison: Table 9, shown below, is a benchmark comparison for 18 communities with similarities with Cottage Grove.

Table 9
Cottage Grove Benchmark Comparable

City – Village	2012 Population	2012 Full-time Police Staffing	2012 Full-time Officers Per 1000	2012 Full-time Civilian Staffing	2012 Crime Index Per 100K	2012 Violent Clearance Rate	2012 Property Clearance Rate
Tier 1							
Stoughton	12,817	20	1.6	5	2,371	108%	29%
Waunakee	12,295	18	1.5	2	951	100%	51%
Verona	10,796	20	1.9	2	2,556	80%	29%
Portage	10,336	22	2.1	4	967	105%	58%
Cottage Grove	10,233	12	1.2	1	1,621	75%	17%
Oregon	9,382	16	1.7	3	1,332	33%	11%
DeForest	9,085	16	1.8	3	1,354	88%	5%
Tier 2							
Jefferson	7,997	14	1.8	3	3,402	93%	45%
McFarland	7,937	14	1.8	2	1,940	100%	5%
Monona	7,658	20	2.6	5	6,816	33%	52%
Mount Horeb	7,124	10	1.4	2	1,797	67%	40%
Tier 3							
Jackson	6,779	11	1.6	1	767	33%	49%
Twin Lakes	6,021	13	2.2	4	1,727	71%	22%
Prairie du Chien	5,933	12	2.0	0	1,753	50%	9%
Lake Mills	5,726	9	1.6	2	803	33%	42%
Milton	5,538	11	2.0	2	2,564	56%	32%
Berlin	5,537	12	2.2	1	3,124	100%	29%
Columbus	4,997	11	2.2	2	2,441	57%	11%
Agency Average			1.8	2.4	2,127	71%	30%
Statewide Average			2.2		2,715	53%	27%

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Benchmark Comparison²⁵

As part of the study, the Consultants conducted an optional²⁶ benchmark comparison. To the extent possible, the comparison included agencies (communities) whose service delivery is in Dane County or influenced by Dane County proximity or demographics. The comparison included:

- population;
- sworn staffing;
- non-sworn staffing;
- officers per 1000 residents;
- violent crime index Per 100K residents;
- property crime index per 100K residents;
- violent crime clearance rate; and
- property crime clearance rate.

Structure of Comparison Data

Table 9 shown above, is a benchmark comparison for 18 communities illustrated in three tiers. To the extent possible, the consultants attempted to compare communities that were in Dane County or those that are influenced by the proximity of Dane County. The tiers are:

- Tier-1 communities, which have a police service population of either slightly more, slightly less or equal to the current Cottage Grove Joint service population base.
- Tier-2 communities, which have a police service population of slightly less than the current Cottage Grove Joint service population base.
- Tier-3 communities, which have a police service population that is commensurate with the population only for the Village of Cottage Grove.

Benchmark Comparison Discussion

Discussion on Population and Sworn Staffing Comparison: The population, demographics, economic business strength and metropolitan proximity of a community will typically dictate the level of police service and related facilities, equipment and resources. Although this study does not consider a demographic component, the

²⁵ Agency comparison data was sourced from Wisconsin DOJ Crime in Wisconsin 2012 report

²⁶ Not included in scope of services

remaining factors and the population base for the study benchmark communities were considered for agencies with similar population and staffing levels.

- Tier-1 agencies represent seven (7) agencies and communities with a police service population of either slightly more, slightly less or equal to the current Cottage Grove. The average of the Tier-1 population base is 10,706, or just slightly higher than the Cottage Grove population of 10,233. It is noteworthy that staffing in the seven agencies has an average of 17.7 officers compared to Cottage Grove staffing at 12 officers.
- Tier-2 agencies represent four (4) agencies and communities with a police service population of slightly less than the current Cottage Grove Joint service population base. The average of the Tier-2 population base is 7,679, or under the Cottage Grove population of 10,233 by 2,554. It is noteworthy that staffing in the four agencies has an average of 14.5 officers compared to Cottage Grove staffing at 12 officers.
- Tier-3 agencies represent seven (7) agencies and communities with a police service population that is commensurate with the 2010 Census population of 6,248 for the Village of Cottage Grove. The average of the Tier-2 population base is 5,790, or slightly under the Village population of 6,248 by 458. It is noteworthy that staffing in the four agencies has an average of 11.3 officers compared to the current Cottage Groves staffing of 12 officers.

Discussion on Full-Time Officers per 1,000 Population: The Crime in Wisconsin 2012 report, in conjunction with reporting Wisconsin crime and arrest statistics to the Federal Bureau of Investigation (FBI) Uniform Crime Reporting program collects and publishes the full-time law enforcement officer per 1000 residents ratio data. The FBI Uniform Crime Reporting defines the standard of measurements and is used across the country to validate industry comparables for full time staffing.

There are several factors that can impact the ratio of officers to residents. Among those are: crime rates, depth and scope workloads, service delivery philosophy, square miles of service area, and reactive vs. proactive problem oriented policing:

- The Tier-1 agencies in Table 9 have an average of 1.6 officers per 1,000 in population. It is noteworthy that Cottage Grove at 1.2 officers per 1,000 is serving the community at a staffing level 25.1% under the average.
- The Tier-2 agencies in Table 9 have an average of 1.9 officers per 1,000 in

population. It is noteworthy that Cottage Grove, at 1.2 officers per 1,000, is serving the community at a staffing level 36.9% under the average.

- The Tier-3 agencies in Table 9 have an average of 2.0 officers per 1,000 in population. It is noteworthy that Cottage Grove, at 1.2 officers per 1,000, is serving the community at a staffing level 40% under the average.

According to the Crime in Wisconsin 2012, Law Enforcement Officers in Wisconsin 2012 Report, the statewide average of officers per 1,000 residents is 2.2. It is not uncommon to see higher per 1,000 staffing ratios as the population in communities goes down. Much of the reason is based on ensuring a 24/7 police coverage, along with minimum staffing standards that will differ from community to community.

Discussion on Crime Index Offenses: The crime rate for any community is a necessary and important yardstick to help determine the necessary staffing level of police service to provide a safe community for families to live, work, and play. Violent crime offense reporting is mandated by the Federal Bureau of Investigation (FBI) in their Uniform Crime Report (UCR) program. The UCR program has historically monitored and reported statistics for four major crimes in a summary format, i.e., they count the actual numbers of reported offenses across the country.

In order for one community to compare to another, the FBI measures crime index offenses based on a formula of crimes per 100,000 residents. To measure those communities with either more or less than 100,000 populations, the crime rate is established by simple multiplication using the factor of 100,000.

The following index offenses make up those crimes that are measured. They are: murder and non-negligent manslaughter, forcible rape, robbery and aggravated assault, burglary, theft, motor vehicle theft and arson.

- The Tier-1 agencies in Table 9 have an average Crime Index Offense rate of 1,593. The Cottage Grove Crime Index Offense rate of 1,621 is just slightly higher than the average. Table 10 shows Cottage Grove's rank order as third highest among this population group for Crime Index Offenses.

Table 10

Verona	2,556
Stoughton	2,371
Cottage Grove	1,621
DeForest	1,354
Oregon	1,332
Portage	967
Waunakee	951

- The Tier-2 agencies in Table 9 have an average Crime Index Offense rate of 3,489. The Cottage Grove Crime Index Offense rate of 1,621 is lower by more than one-half of the average. Table 11 shows Cottage Grove's rank order as the lowest among this population group for Crime Index Offenses.

Table 11

Monona	6,816
Jefferson	3,402
McFarland	1,940
Mount Horeb	1,797
Cottage Grove	1,621

- The Tier-3 agencies in Table 9 have an average Crime Index Offense rate of 1,883. The Cottage Grove Crime Index Offense rate of 1,621 is slightly lower than the average. Table 12 shows Cottage Grove's rank order as the third lowest among this population group for Crime Index Offenses.

Table 12

Berlin	3,124
Milton	2,564
Columbus	2,441
Prairie du Chien	1,753
Twin Lakes	1,727
Cottage Grove	1,621
Lake Mills	803
Jackson	767

Overall Ranking of Crime Index Offenses

Table 13 illustrates the position of the Cottage Grove Crime Index Offense ranking among all 18 benchmark agencies.

Table 13

City - Village	2012 Crime Index Per 100K
Monona	6,816
Jefferson	3,402
Berlin	3,124
Milton	2,564
Verona	2,556
Columbus	2,441
Stoughton	2,371
McFarland	1,940
Mount Horeb	1,797
Prairie du Chien	1,753
Twin Lakes	1,727
Cottage Grove	1,621
DeForest	1,354
Oregon	1,332
Portage	967
Waunakee	951
Lake Mills	803
Jackson	767

According to the Crime in Wisconsin 2012, Law Enforcement Officers in Wisconsin 2012 report, the statewide average for Crime Index Offense Rate is 2,715. The Cottage Grove Crime Index Offense Rate is well below the state average, and when looking at the department from the three tier perspective, they are 12th and are slightly above the lower third of the 18 agencies represented.

Accepted and Industry Staffing Best Practices

The IACP Approach: Patrol Staffing and Deployment Model²⁷: The International Chiefs of Police Association (ICAP) discourages relying solely on the number of police officers per thousand of population to determine staffing levels. They also recommend considering such factors as:

- policing philosophy;
- policing priorities;
- police policies and practices;
- number of calls for service;
- population size and density;
- composition of population, including age and race structure;
- stability/transience of population;
- crime rates and seriousness of crimes (i.e., level of index crimes);
- crime reporting practices of citizens (i.e., self-reporting systems); and
- community growth rates.

The following IACP guidelines are recommended:

Policing Philosophy: A common approach is to divide patrol activity into three categories:

1. Responding to calls for service.
2. Focusing on crime prevention and community relations.
3. Performing necessary administrative duties such as report writing, conferring with supervisors, and attending training. The proportion of time spent on each activity can vary.

It is common practice to divide the time available for field patrol activity equally, allowing one-third of an officer's time for response to calls for service; one-third of his or her time for crime prevention, community relations, and other proactive services that an agency may elect; and one-third for administrative duties such as writing reports, conferring with supervisors, and meals. For example, if the emphasis is on responding to calls for service, the amount of time for crime prevention may be less, while visibility in commercial areas may be increased. A "policing style" needs to be determined in order to determine with some measure of accuracy the number of officers needed.

²⁷ Please refer to the IACP best practices publication for review in its entirety

Service Philosophy: A police department can send an officer to personally meet with each complainant or request made by a citizen, or the department can choose to take telephone reports from citizens, promote walk-in reporting, or utilize community service officers for less serious situations and even internet reporting for some incidents. Use of these alternatives lowers staffing requirements. They represent a trade-off between personalized service and cost containment.

Response Time Standards: Response time to high priority calls, which includes imminent danger to citizens and where opportunities exist to arrest alleged offenders, must be as rapid as possible. Response times have a major impact on staffing needs, since increasing the number of officers, properly allocated throughout the area, can reduce response times. The number of available officers drives response times at any given time along with the call prioritization system that has been implemented.

Supervisory Style and Requirements: Police departments, by their very nature, are paramilitary organizations operating within a chain of command structure. The Commission on Accreditation of Law Enforcement Agencies recommends a supervisor be responsible for not more than twelve officers. The actual number of supervisors needed by a department is impacted by such factors as the level of training of police officers, their years of experience and the complexity of police needs (i.e., is the index crime rate high or is the crime clearance rate low?).

Community Policing Roles: Community-oriented policing and problem solving policing (i.e., proactive policing) is more labor intensive and requires more patrol officers than a reactive approach to policing. For purposes of this study, it is evident that the local elected officials and key community stakeholders expect a reasonable response time to calls for service and a proactive approach to crime problems (community oriented policing that focuses on crime prevention).

Agency Workload: Police personnel needs are determined by workload. The workload of a police department is determined by the number of incidents reported to police with adequate time allowed for preventive patrol and handling the other administrative tasks associated with municipal policing. Once staffing levels are established, it is then possible to determine approximately how much the service will cost the local taxpayer. In this report we will evaluate staffing needs using the guidelines from the International Association of Chiefs of Police.

IACP Staffing Formula: The International Association of Chiefs of Police (IACP) developed a formula to determine police personnel needs. However, like most situations where an overall standard is used to determine a factor, it is subject to error and should not be considered flawless. The formula is in fact a guide that should be used to evaluate staffing levels and weigh them against costs and local service needs.

The IACP formula is based on the assumption that it takes an officer forty-five (45) minutes to handle the average call for service. It also assumes that one third of a police officer's time should be utilized handling calls for service and self-initiated traffic enforcement (citations, warnings, etc.) Finally, the formula takes into consideration the amount of time the officer is actually available for duty. On average, once the total of all forms of time off are computed (vacation, training, holidays, sick leave, court time, personal days and emergency days) the amount of time an officer is actually available for duty can be determined.

Step 1: The standard, based on the IACP model, suggests that approximately 550 incidents should occur for every 1,000 resident in the community or .55 per person. This step is applied to Cottage Grove's population data.

Step 2: Determine the number of complaints or incidents received and responded to by the police department. Complaints and incidents include all forms of police activity where an officer responded and/or took an official action. Incidents do not include situations where advice was given over the telephone, delivering messages or handling internal police department matters. If an actual complaint or incident figure is not available because the police department's records are not accessible or are unreliable, an estimate may be used.

Step 3: Multiply the total complaints or incidents by 0.75 (45 minutes). It is generally conceded that 45 minutes is the average time required to handle a complaint or incident. This calculation point is verified through a review of the daily logs, taking an average over a three year cycle.

Step 4: General experience has shown that about one-third of an officer's time should be spent handling requests for services. Other requirements for servicing police vehicles, patrol, follow-up to investigations, community education activities, personal relief, eating, and supervision

must also be taken into consideration. Multiply the product by three accounts for the stated factors, the patrol element and the administrative time.

Step 5: Divide the product by 2,920, the total number of hours necessary to staff one basic patrol unit on the street for one year ($365 \text{ day's} \times 8 \text{ hours} = 2,920$). The result of applying the IACP formula, modified to reflect local need and reporting, establishes the number of patrol elements necessary to police the community (not the number of officers, but the number of patrol elements).

To determine the number of officers required to staff each patrol element, the assignment and availability factor must be determined. This is accomplished by determining how many hours each year the average police officer is not available for duty on the street and subtracting that time from the patrol element hours of 2,920. Summarized below is an example to determine the officer availability factor.

Officer Hours Away From Duty

- Regular Days Off.
- Vacation.
- Holidays.
- Personal Holidays.
- Court Days.
- Sick and Injury.
- Training.
- Miscellaneous Leave.
- Total Hours Away From Duty= _____.

To determine the available hours, subtract the "hours away from duty" from 2,920, the hours to staff one patrol unit. Once the total available hours of the average patrol officer is established, the assignment/availability factor is determined by dividing the available hours into the patrol element requirement of 2,920 hours. These result in a factor to staff each patrol element required to police the community. By taking the amount of officers and including them in the formula, we determine the amount of hours that are available. To this "street coverage" calculation we add the necessary supervisory and investigative.

Staffing Analysis

The IACP Staffing Approach Analysis: The IACP formula is based on the assumption that it takes an officer forty-five (45) minutes to handle the average call for service. It also assumes that one third of a police officer's time should be utilized handling calls for service, traffic citations and traffic warnings. Finally, the formula takes into consideration the amount of time the officer is actually available for duty. On average, once the total of all forms of time off are computed (vacation, training, holidays, sick leave, court time, personal days and emergency days) an officer is actually available for duty approximately 1,519 hours per year. The calculation determines only the staffing needs for officers "on the street" handling calls, and does not include administrative overhead, which has an impact in all sizes of law enforcement agencies.

This staffing analysis is based on the dissolution of the current joint law enforcement agreement on December 31, 2014. The staffing formula will be based only on those factors directly related to the Village of Cottage Grove. The data factors are from 2013. The current population and service activity for the Town of Cottage Grove is not factored into the analysis.

Step 1: The standard, based on the IACP model suggests that approximately 550 incidents should occur for every 1,000 residents in the community, or 0.55 per person, suggesting an activity rate for Cottage Grove of 3,448 incidents per year. Actual 2013 rates in the Village of Cottage Grove represent 5,545 incidents²⁸ per year, or 0.88 incidents per person.

Step 2: Determine the number of complaints or incidents received and responded to by the police department. Complaints and incidents include all forms of police activity where an officer responded and/or took an official action. Incidents do not include situations where advice was given over the telephone, delivering messages or handling internal police department matters. If an actual complaint or incident figure is not available because the police department's records are not accessible or are unreliable, an estimate is used. In the case of Cottage Grove, their records management system is robust enough to determine an accurate service level of activity, complaints and incidents. To validate this data, a three year activity report was generated and reviewed.

²⁸ Incident data is 2013 Village only calls for service, citations, arrests and DCSO calls handled in Village

Step 3: Multiply the total complaints or incidents by 0.75 (45 minutes). It is generally conceded that 45 minutes is the average time required to handle a complaint or incident. This calculation point is verified through a review of the activity levels over a three year cycle. ($5,545 \times 0.75 = 4,159$)

Step 4: General experience has shown that about one-third of an officer's time should be spent handling requests for services. Other requirements for servicing police vehicles, patrol, follow-up to investigations, community education activities, personal relief, eating, and supervision must also be taken into consideration. Multiply the product by a factor of three (3), accounts for the patrol element and the administrative time. ($4,159 \times 3 = 12,477$)

Step 5: Divide the product by 2,920, the total number of hours necessary to staff one basic patrol unit for one year ($365 \times 8 \text{ hours} = 2,920$). The result of applying the IACP formula, modified to reflect local need and reporting, establishes the number of patrol elements necessary to police the community (not the number of officers, but the number of patrol elements). ($12,477 \div 2,920 = 4.27$)

Number of Hours Away from Duty: To determine the number of officers required to staff each patrol element, the assignment and availability factor must be determined. This is accomplished by determining how many hours each year the average police officer is not available for duty on the street, and subtracting that time from the patrol element hours of 2,920. The table below is the calculation to determine the assignment and availability factor.

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Table 14 illustrates the average leave and officer availability time for 2013.

Table 14

Cottage Grove Police Department
2013 Patrol Officer Availability - Average for 10 Patrol Officers
Shift Duration = 8 Hours

Patrol Schedule	Days	Hours
One Base Patrol Unit 24/7 Coverage (Year)	365	2,920
Scheduled Off Time	121.6	973
Scheduled Duty Time	243.4	1,947
2013 Average Leaves ²⁹ (shown below)	56.25	450
* Sick	9.5	76.0
* Vacation	19.125	153
* Holiday (includes Personal Days)	2.5	20
* Comp Time	11.0	88.0
2013 Actual Training	12.125	97
2013 Estimated Court	2	16
Average Officer Availability		1,497

Once the total available hours of the average patrol officer is established, the assignment and availability factor is determined by dividing the available hours into the patrol element requirement of 2,920 hours. This results in a factor of 1.95. In other words, it takes 1.95 police officers to staff each patrol element (Shift) required to police the community. By taking the amount of officers recommended, multiplied by 1.95, we determine the amount of hours that are available. Clerical staff, Detective and police administrative staffs are not included in the analysis total.

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²⁹ Data source Cottage Grove Attendance Records for 10 patrol officers. Detective and Chief not included

Table 15

IACP Cottage Grove Staffing Calculations 2013 Total Activity Data
Based on CFS, Citations and Warnings = 5,545³⁰

<u>Step 1</u> Population (6,269) Multiply by (0.88)	<u>Step 2</u> Multiply results of Step 1 by 0.75	<u>Step 3</u> Multiply results of Step 2 by 3	<u>Step 4</u> Divide results of Step 3 by 2920	<u>Step 5</u> Multiply results of Step 4 by 1.95	<u>Step 6</u> add Supervisors (0) and Investigative (1)	Total Sworn Line Staff
5,516.7	4,137.5	12,412.5	4.25	8.2	1.0	9.2

The calculation of 9.2 does not include the Chief and is based on the Cottage Grove population of 6,269. The IACP Village Only staffing model projects a staffing level of 1.8 fewer officers than is currently employed under the joint jurisdictional organizational structure. The 1.8 calculation was derived from subtracting the IACP staffing model (9.2) from the existing patrol and investigative (11) staff, not including the Chief.

The IACP staffing results are low when compared to the Tier-3 comparison for communities with similar populations (see Table 16 below). The available crime and activity data suggests that current staffing levels are consistent with communities with similar demographic populations; however, indicators in the stakeholder interviews and data review suggest the Village of Cottage Grove community has a higher expectation for service, response time, and visibility than other communities with similar characteristics. Independently of community expectations, there is a higher activity rate than other comparable communities and the department is in closer proximity to a large urban population.

³⁰ Incident data is 2013 Village only calls for service, citations, arrests and DCSO calls handled in Village

Table 16

Tier-3 IACP Model Comparison

City – Village	2012 Population	2012 Full-time Police Staffing
Tier 3		
Village of Jackson	6,779	11
Village of Twin Lakes	6,021	13
City of Prairie du Chien	5,933	12
City of Lake Mills	5,726	9
City of Milton	5,538	11
City of Berlin	5,537	12
City of Columbus	4,997	11

Summary Statement

The origin of the local police department and the desire for local control dates back to the beginning of policing and it continues to drive the priorities for policing today. The issues of executive accountability, community specific policing style, strategic priorities and goal setting, personnel selections or the ability to grow, expand or contract services rapidly all play a role in the desired level and form of law enforcement services. The desire to maintain a “hometown” feeling to the policing of their community, where quality of life issues can be proactively emphasized, and the possibility that their officers want to remain actively engaged in the community they serve also plays an important role. To effectively measure staffing levels, the analysis must be both quantitative (an evaluation of the numbers based on comparables) and qualitative (an evaluation of services based on high impact practices and local needs). The traditional measures for staffing levels, combined with the measurement strategies we have employed, suggest a staffing level of 9.1 officers and a Chief, bringing the total to 10.1 sworn positions. These findings assume a baseline of organizational performance that is, for lack of a more precise definition, “adequate.” Although it will likely be the preference of the reader to accept any baseline as adequate and to focus staffing based largely on fiscal considerations, it is critical for the reader to consider the importance of making improvements to the department to minimize liability and mitigate risk.

Recommendations and Rationale Improvement of Staffing and Resource Allocation

The following recommendations are made with the intent the department can increase its efficiency, and effectiveness, and provide a platform of clarity relating to departmental staffing:

1. Create a process to ensure department personnel are allocated to organizational components and assignments in accordance with documented workload assessments. After a baseline is determined, introduce effective incentive and disciplinary strategies to improve proactive responses to traffic enforcement and public order complaints. The department has the capacity to do more proactive community work, but needs to be adequately supported to do so.
2. Continue the practice of staffing at current patrol numbers. In the event that fiscal challenges require staff reduction, do so based on attrition and use this report to drive aggressive improvement within the department.
3. Investigate the feasibility of 12-hour shift rotations to provide additional patrol officer staffing during peak activity periods.
4. Introduce the concept of CSO (Community Service Officers) during peak periods to handle calls for service that are routine (parking tickets, abandoned vehicles, keys locked in car, animal complaints).
5. Begin a recruitment process for a Lieutenant to serve as second in command. This should be a rigorous recruitment which allows internal applicants to apply, but also targets external candidates. Strong consideration should be given to contracting a firm which specializes in executive police recruitment.
6. Carefully evaluate the use of sick and injury leave and introduce a fitness/wellness program as well as a proactive policy to address “cycling” of sick leave, to mediate employee injuries and to improve morale and wellness.

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Introduction to Management and Organizational Structure

Organization is the arrangement of personnel and functions to accomplish departmental objectives. It is the means through which personnel are directed and coordinated. Organization of a police agency should conform to well-tested and accepted principles. The most important include:

- Responsibility should be clearly fixed to ensure that every function a police agency should perform is performed.
- Ultimate responsibility for each function must clearly be assigned to one person.
- Functions which are similar or related in purpose, method, or clientele should be logically grouped to enhance effectiveness.
- Responsibilities and duties should be clearly defined in writing.
- Specialized units should only exist if they significantly increase overall Department effectiveness.

Historically, the department's structure has been inconsistent with a number of supervision and organizational structures introduced over the last decade, including the recruitment of first line supervisors and an executive from outside of the organization. It is typical for small organizations to have informal methods for managing their day-to-day activities; however, the informal nature of supervision in this department has a reputation for being "poorly designed and ill conceived."

Recommendations for Improvement for Management and Organizational Structure

Recommendation #1: Develop and implement a written directive to ensure policy guidelines to establish and define functional operational divisions, unity of command, delineating responsibility, and delegating authority. Consideration should be given to include the components of the accepted and industry best practices.

Recommendation #2: In 2014 conduct a recruitment for a "second in command" position within the department. In agencies of comparable size, this position would be classified as an exempt "Lieutenant." This position's schedule should have a slight scheduling overlap with the Chief of Police; however, the schedule should emphasize extended supervisory coverage for the department.

Recommendation #3: Develop and implement an organizational chart that clearly depicts all organizational components. The chart would include the Chief and Lieutenant, with the Detective reporting to the Lieutenant for daily operational activities.

Recommendation #4: Develop and implement a written directive to ensure each employee is accountable to only one supervisor at any given time.

Recommendation #5: Develop and implement a written directive to ensure each organizational component is under the direct command of only one supervisor.

Recommendation #6: In 2014, develop and implement a written directive that governs the conditions and authority of an officer-in-charge. This is an assignment, but can only be achieved through a competitive process with specific performance and compensation criteria.

Recommendation #7 : Officer-in-charge positions should attend a minimum of 40 hours of first line supervision training.

Recommendation #8 : In the spring of 2016, conduct a promotional process for the position of “Sergeant” which will be designed as a “first line supervision” position. As part of the promotional criteria, credit will be given for officers who have served the capacity as “officer in charge.”

Rationale for Recommendations

Rationale for Recommendation #1: Upon the development of command, responsibility, and authority policy guidelines for every level within the department, personnel should be given the authority to make decisions necessary for the effective execution of their responsibilities. The delegation of authority should be consistent with the department’s organizational values and mission statement.

Rationale for Recommendation #2: The department’s supervisory structure is “too flat” and is not functioning well. The Chief is drowning in day to day operational activities and is on-call 24 hours a day, 7 days a week without a relief structure. This is having a deleterious effect on staff morale and is increasing liability for errors and omissions. Although the recruitment for this position should allow current employees to apply, there is a need to bring in a supervisor who has 5-7 years of supervision experience, a minimum of a Master’s degree and an advanced certification in supervision.

Rationale for Recommendation #3: The development of an organizational chart should coincide with the written description, reflect the formal lines of authority and communication within the department, and mirror the current operational practices. The Detective reports directly to the Chief; however, the Detective also serves as court officer and evidence custodian. The multiple roles create a multitude of conflicts between the Chief and the staff.

Rationale for Recommendation #4: The development of a written directive applicable to all officers should have a clear understanding of the reporting relationship and accessibility to a supervisor.

Rationale for Recommendation #5: The development of a written directive to govern command of operational component should eliminate more than one ranking officer exercising duplicate authority.

Rationale for Recommendation #6: The development of a written directive to govern the department's officer-in-charge intends to establish the specific conditions and delegated authority a non-ranking officer can exercise.

Rationale for Recommendation #7: As a specialized assignment which is earned through a promotional process, the position requires a higher level of responsibility. This responsibility should be accompanied with 40 hours of rigorous first level leadership training.

Rationale for Recommendation #8: Effective officers who see an opportunity to advance are more likely to stay with a department. Among a variety of morale challenges in the department, an inability to advance was cited as a common theme. Formal officer-in-charge positions which are adequately compensated provide officers the ability to become engaged in their own development and in the department's future. Using a formal officer in charge program, the Chief will be able to recognize officers who are willing to embrace the challenges of leadership and accountability. The timeframe will allow the department to adjust to its new identity and to begin its work on a continuous improvement plan. By including a third supervision position, the agency will have the correct blend of supervisors, allowing for seamless guidance for the activity of all of the shifts.

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Accepted and Industry Best Practices for Organizational Structure

Commission on Accreditation for Law Enforcement Agencies (CALEA). Standards for Law Enforcement Agencies: The CALEA Organization Structure Standards³¹ Chapter 11 relate to organizational procedures used to govern:

- description of the organization;
- an organizational chart;
- employee accountability;
- direct command of components;
- responsibility has commensurate authority; and
- supervisory accountability.

Benefits to the Police Department

When the elements of the department's organizational structure are formalized, there will be clear lines of accountability and authority at every level in the department; which should augment the department's day-to-day operational protocols. Once achieved, the recommendations will fit nicely into the department's current organizational structure.

Introduction to Policy and Written Directives

Service delivery by agencies in smaller communities is often more responsive than that of departments in larger communities due to knowledge of the community and partnerships within the community. In addition, officers working in smaller agencies must be prepared for the same challenges and situations as their colleagues in larger organizations. The only real difference between large and small is the degree of specialization in job assignments in smaller departments.

Smaller agency officers are generalists, often seeing the case through from start to finish. Because of this, officers in smaller departments are provided more latitude to perform their jobs and are not locked into the same routine every day, allowing for more growth, job enhancement and satisfaction for the employees of these departments. Therefore, policies and procedures for smaller agencies must be as thorough and complete as their larger counterparts. Policy and written

³¹ Please refer to the CALEA standards manual for review in its entirety

directives relate to direction and supervision and they are concerned with chain of command, Chief Executive Officer authority, supervisory accountability, and a written directive system.

Agencies must have a formal written directive system. The system can be in paper or electronic form; however, the emerging trend is toward electronic systems. Components of the written directive system should be suited for the specific communications needs and capabilities of the agency. Clarity and rapid access to information are essential to effective implementation of agency written directives. The agency's written directive system should evolve from its legal authority, core values, and mission statement. All agency personnel should have a clear understanding of their individual discretionary powers in carrying out their duties in accordance with agency written policy, procedure, rules, and regulations.

The glossary terms for written directives, i.e., policy, procedure, plan, and rules and regulations, should be reviewed carefully to ensure that written directives avoid confusion with specific agency terminology. For example:

- Written Directive: Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules and regulations, general orders, special orders, memorandums, and instructional material.
- Policy: A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures and rules and regulations.
- Procedure: A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of "shall" rather than "should," or "must" rather than "may." Procedures sometimes allow some latitude.
- Plan: Documented identification of methods to achieve desirable goals or conditions.
- Rules and Regulations: A set of specific guidelines to which all employees must adhere and typically limits discretion in carrying out an activity.
- General Order: A term used by some agencies to describe directives of a long standing nature concerned with policy, rules, and procedures affecting more than one organizational component.
- Special Order: A directive affecting only a specific segment of the organization or a statement of policy or procedure regarding a specific circumstance or event that is of a temporary nature.

Current Conditions of the Cottage Grove Policy and Written Directives

The Chief presented written directives in six separate policy references from different electronic storage locations. During the initial CEO project meeting, the Chief presented the department's written directives and policies as electronic files organized into a file folder. Included in the file folder were 46 policies and 4 operational memorandums. The memorandums are considered a written directive. Table 17 and Table 18 shown below, represent the policy and memorandum documents provided.

Table 17

Cottage Grove Original Policy Listing

Policy Number	Policy Subject	Issued Date	Revision Date
1.1	Department Authority	5-1-00	3-12-07
1.1A	Limits of Authority	5-1-00	
1.2	Use of Force	5-1-00	1-15-07
1.2A	Electronic Control Devices (ECD)	5-1-00	1-15-07
1.5	Firearms & Ammunition &- Firearms in the Court House	5-1-00	4-1-06 1-23-09 3-15-11
1.10	Constitutional Requirements	5-1-00	
2.1	Agency Jurisdiction	5-1-00	3-12-07
2.2	Participation in CIB system	5-1-00	
5	Organization, Structure and Responsibility	5-1-00	
6	Command, Authority and Accountability	5-1-00	12-12-08
6.4	Duty to Obey Lawful Orders and Directives	5-1-00	
7	Administrative Reporting System	5-1-00	
10.5	Uniforms and Equipment & Availability of Body Armor	5-1-00	1-13-09 1-15-09 3-15-11
10.5A	Personal Appearance	2-12-09	
10.6	Medical Examinations and Physical Fitness	5-1-00	3-15-11
10.8	Extra Off-Duty Employment	5-1-00	3-15-11
13.1	Code of Conduct	5-1-00	3-15-11
13.2	Disciplinary System	5-1-00	12-12-08
13.6	Sexual Harassment	5-1-00	
15	Training	5-1-00	1-23-09
17	Performance Evaluations	5-1-00	
18.2	Special Purpose Vehicle and Animals	5-1-00	
18.3	Response to Routine and Emergency Calls	5-1-00	
18.4	Vehicle Pursuits	5-1-00	
18.5	Missing Persons Investigations	5-1-00	
18.6	Safety Restraining Devices	5-1-00	

19	Criminal Investigations	5-1-00	
19.5	Reporting Abuse	4-1-06	
20	Juvenile Operations	5-1-00	
22	Criminal Intelligence	5-1-00	
23	Internal Affairs	5-1-00	
24	Public Information and Community Relations	5-1-00	
25	Traffic	5-1-00	
26	Prisoner Transportation	5-1-00	
28	Communications	5-1-00	
28.11	Information Systems	3-20-02	
29	Records	5-1-00	
29.5	Electronic Recording of Custodial Interviewing	2-4-07	
30	Collection and Preservation of Evidence	5-1-00	
31	Property and Evidence Collection	5-1-00	4-1-09
31.1	Digital Scene Photography	4-1-09	
32	Domestic Abuse	5-1-00	4-1-06
33	DRMS Equipment and Property Disposal	3-12-07	
34	Eyewitness Identification	4-9-07	5-10-11
35	Department Procedures	3-23-11	
36	Bloodborne Pathogens – Exposure Control	3-24-11	

Table 18

Cottage Grove Memorandum Listing

Memorandum Subject	Issued Date
Use of AED	9-16-02
Implementation of Quality Performance Manual	11-6-00
Introduction and Articles of Conduct	Undated
Issuance of Quality Performance Manual	10-28-00

In a subsequent meeting, the Chief advised he found additional policy folders on what was referenced as the “G-Drive,” meaning a network server data storage drive. The Chief provided five (5) electronic file folders, each containing policy file documents. They are as follows:

- FTO Policy Manual 8-1-12: The Field Training Officer (FTO) program policies are a collection of field training protocols that were implemented in August 2012. The FTO program was modeled after the Appleton, Wisconsin Police Department’s, and an Appleton Police Lieutenant provided training to the Cottage Grove field training officers. The specific

substance of the FTO will be reviewed under the training section of this report.

- Policy Document Current 10-7-13: This folder contained nine (9) policy documents that are duplicates of the same original files previously provided.
- Policy Documents 9-30-11: This file folder contained 38 of the 46 policy documents from the original folder. It also had two documents that were not among those in the original folder: (1) Electronic Recording of Custodial Interview Recording Form revised 2-4-07, and (2) Policy 1.2 Use of Force (Taser revised version) dated 12-09.

Additionally, the following duplicated policies also contained a revision reference of 12/09. It is unclear if that date represents December 2009 or December 9th. The reference to 12/09 is inconsistent and in conflict with other more current revisions. Table 19 shown below, is a listing of those policies.

Table 19

Cottage Grove Policy Conflicts

Policy Number	Policy Subject
1.5	Firearms & Ammunition & Firearms in the Court House
6	Command, Authority & Accountability
10.5	Uniforms and Equipment
10.6	Medical Exams and Physical Fitness
10.8	Extra – Off Duty Employment
13.1	Code of Conduct
28.11	Information Systems

- Policy Procedures Current 3-11-14: The file folder contained ten (10) procedure documents and a table of contents. Table 20 shown below, is a listing of the policy procedures.

Table 20

Cottage Grove Active Procedures

Procedure Number	Procedure Subject	Issued Date	Revision Date
09-002	OWI Reporting	1-1-09	
09-003	New World Incident/Case Processing	1-2-09	3-13-10
09-004	Animal Complaints	1-13-09	8-15-09
09-005	Rifle Check-Out	2-5-09	3-14-10
09-006	Determining Criminal/Civil OAR	4-1-09	3-14-10

09-007	Digital Photography Evidence	4-1-09	3-20-10
09-010	TraCS	9-22-09	6-30-11
10-008	Mobile Video	1-23-10	8-13-10
11-001	Speed Trailer Use	3-31-11	3-31-11
None	Concealed Carry	10-7-11	

Table 21

Cottage Grove Inactive Procedures

- Policy Procedures Past 3-11-14: The file folder contained one (1) procedure document that was rescinded shortly after it was issued. Table 21 shown below, is a listing of the inactive procedures.

Procedure Number	Procedure Subject	Issued Date	Revision Date
09-001	Readiness for Duty	1-1-09	Rescinded 3-28-09

The department's written directive and policy system makes certain policies available on the department's network shared drive. Table 22 shown below, is a listing of those policies.

Table 22

Cottage Grove Policies On-Line in Shared Folder Revised 5-24-11

Policy Number	Policy Subject	Issued Date	Revision Date
1.5	Firearms & Ammunition – Firearms in the Court House	5-1-00	4-1-06 1-23-09 3-15-11
10.5	Uniforms and Equipment – Availability of Body Armor	5-1-00	1-13-09 1-15-09 3-15-11
10.5A	Personal Appearance	2-12-09	
10.6	Medical Examinations and Physical Fitness	5-1-00	3-15-11
10.8	Extra Off-Duty Employment	5-1-00	3-15-11
13.1	Code of Conduct	5-1-00	3-15-11
34	Eyewitness Identification	4-9-07	5-10-11
35	Department Procedures	3-23-11	
36	Bloodborne Pathogens – Exposure Control	3-24-11	

The department's written directive and policy system provides for a listing of policies that have been rescinded and cancelled. Table 23 shown below, is a listing for those policies.

Table 23
Cottage Grove Policies Cancelled

Policy Number	Policy Subject	Cancelled Date
1.7	Firearms in the Court House (Combined with 1.5)	3-23-11
2.3	Task Force	3-23-11
4.1	Legal Advice	3-23-11
4.2	Liability Insurance	3-23-11
8	Reserve Officers & Auxiliary Personnel	3-23-11
9	Fiscal Management	3-23-11
10	Compensation, Benefits & Conditions of Work	3-23-11
11	Collective Bargaining	3-23-11
12	Grievance Procedures	3-23-11
14	Recruitment and Selection	3-23-11
16	Promotions	3-23-11
18.1	Patrol Coverage	3-23-11
18.7	Availability of Body Armor (Combined with 10.5)	3-23-11
21	Unusual Occurrences/Special Operations	3-23-11

Policy Development Protocols: Although the Chief has not issued a new or revised policy since hired in March 2012, he stated the following steps would be considered when developing a new policy for the department. They are:

- determine or identify the need for policy;
- determine what other police departments are doing;
- seek input from staff;
- formulate a draft policy;
- take it back to staff for review;
- issue and disseminate the policy;
- seek after-action feedback from staff; and
- provide training, if necessary.

Patrol Staff Policy Input: The department's historical practices, along with its department policy regarding written directives, does not provide for patrol staff input for a new or revised policy.

Policy Staff Training: Patrol staff is not trained subsequent to the implementation of a new policy. Department policy requires that new or revised policies that are issued be explained to each officer by their supervisor. Offices are expected to read and understand the policy and if there are questions, they are directed to consult with their supervisor.

Policy Dissemination and Retention: The department's policy requires that each officer receive a copy of the policy manual. Once a new or revised policy is disseminated, it is recorded and kept by the Chief of Police. The Chief sends each officer an email. Policies and procedures are not available on the patrol vehicle's laptop computer.

Policy Revision Protocol: The department does not have a formal review process for revisions of policy and procedures, directives, rules and regulations and memos, with the exception of applicable statute changes or court decision affecting police policy matters.

Written Directive Issuance Authority: The Chief of police is the only authority who can issue a departmental written directive.

Required Law Enforcement Policies³²: The following are required law enforcement agency or employer policies and statutory references from Wisconsin Statutes or United States Occupational Safety and Health Administration (OSHA).

- High Speed Pursuit policies are required by Sec. 346.03(6) Wis. Stats.
 - Compliance: The department has a high speed pursuit policy.
- Use of Force policies are required by Sec. 66.0511(2) Wis. Stats.
 - Compliance: The department has a use of force policy.
- Citizen Complaint procedures are required by Sec. 66.0511(3) Wis. Stats.
 - Compliance: The department has citizen complaint procedure.
- Open Records policies are required by Sec. 19.34(1) Wis. Stats.
 - Compliance: The department has an open records policy.
- Domestic Abuse policies are required by Sec. 968.075(3) Wis. Stats.
 - Compliance: The department has a domestic abuse policy.
- Expander of Jurisdiction policies are required by Sec. 175.40(6) (d) Wis. Stats.
 - Non-Compliance: The department does not have an expander of jurisdiction policy.

³² Refer to the referenced statute for review of the policy requirement.

- Reporting Abuse policies are required by Sec. 48.981(3) (b) 3. Wis. Stats.
 - Compliance: The department has a reporting abuse policy.
- Eyewitness Identification policies are required by Sec. 175.50(2) Wis. Stats.
 - Compliance: The department has an eyewitness identification policy.
- Privacy in Locker Room policies are required by Sec. 175.22 (2) Wis. Stats.
 - Non-Compliance: The department does not have privacy in locker room policy.
- Bloodborne Pathogen Exposure Control Plan is required by the United States Occupational Safety and Health Administration (OSHA), standard (29 CFR 1910.1030).
 - Compliance: The department has a bloodborne exposure control plan.

Analysis of Cottage Grove's Policy and Written Directives

The Cottage Grove written directives³³ manual and components, i.e., policy and procedures, directives, rules and regulations and memos, have been in effect since May 1, 2000. The written directives and policies in place are predominately related to operational and procedural functions, and there are few that address administrative functions.

The Chief has not yet reviewed all department policies since his hire date of March 2012. During the 11 year period of May 1, 2000 to March 24, 2011, the former police Chief provided 19 policy revisions, with two policies receiving 3 revisions each. The total number of policies revised was 15. The following represent policy revision frequency:

- 2006 = two policy revisions;
- 2007 = four policy revisions;
- 2008 = two policy revisions;
- 2009 = five policy revisions; and
- 2011 = six policy revisions.

Within the past 18 months there has been a renewed effort to revise policies, with one patrol officer tasked with a revision to the Use of Force Policy; however, this policy was generated as a draft and has not been issued as a formal directive. Although the Chief has not yet issued any policies since his hire in March 2012, the Chief's approach to written directives is straightforward and, for the most part, consistent with other law enforcement agencies of similar size and structure. The Chief has collected draft policies from accredited agencies to use as models.

³³ The term "Written Directives" as used in this report collectively means: policy and procedures, directives, rules and regulations and memos.

The consultants are troubled by the age of many written directives. The following intends to illustrate the age for written directive components:

- Policies and Procedures: There are 31 policies that have not been revised since they were issued on May 1, 2000.
- Code of Conduct: The 51 code of conduct rules and regulations were recently revised in March 15, 2011. The code of conduct appears to be tied to the department's core values statement. The previous code of conduct was authored on May 1, 2000. Consultants did not have access to the previous rules and regulations.
- Memos: There are 4 memos that are active, with the most recent dated in September 2002. The others are dated in October and November 2000. One memo is undated.

The best practices for written directives suggests that an agency should periodically and systematically review and revise written directives to keep up with changes in law, departmental operating practices and other community/organizational based changes. As an example, we find it difficult to understand how the department's use of force policy from May 2007 has not been reviewed and revised to reflect the May 2009 recommendations from the Wisconsin Law Enforcement Standards Board, Defense and Arrest Tactics, Use of Force Disturbance Resolution Model relating to training and deployment of an electronic control device (ECD). Additionally, the use of a Canine can result in the use of force in dog bites or injuries.

There are active policies that reference organizational positions and functions that no longer exist in the agency, e.g., references to Sergeants and a Sergeant's role, responsibility and accountability. When those positions were eliminated, the attendant policies should have been revised to reflect the new operating environment. The consultants are concerned the department has not provided a meaningful process to solicit input from officers on policy matters. In many instances, an officer may know best which procedures will work to achieve an operating practice or delivery method. Under the current conditions, an officer's input comes once the documents have been issued and are in effect as policy.

The consultants feel the department should seek the input of officers prior to implementation, as it increases ownership by the officers and eliminates the need to "revise" a newly issued policy because something was overlooked or missed by the author. The department's training for newly issued written directives is based on an officer's supervisor reviewing the policy. In the consultant's opinion, if policy, directives, rules and regulations and memos are truly intended to

serve as the operational protocol for officer performance, then there should also be a formal training environment to ensure that patrol staff clearly understand the intent, purpose and application of written directives. The training documentation can also serve as documentation of each officer's receipt of the directive. The department's approach to dissemination of written directives is through the use of email. Each officer has been issued a policy manual and it is his or her responsibility to ensure that revisions are properly placed in the manual.

There are no policy manuals available to officers in the field or patrol vehicles, unless an officer physically carries his or her manual with him or her while on patrol. This approach is troubling to the consultants because unless an officer carries his or her own copy of a manual, once in the field he or she must rely on his or her memory regarding the procedures or conditions in order to properly handle a situation that is governed by a policy. Not only does this environment impact the public's expectation of consistent service delivery, it also can impact the performance-related issues for the officer. The academic reality is officers cannot, and will not, have the ability to recall all of the specific details of the department's fifty (50) policies and procedures, directives, rules and regulations and memos that are currently in force. At a minimum, the department should incorporate the following to disseminate their written directives:

- one manual in the squad room of the police department;
- one manual for each sworn officer employed by the department;
- one manual electronically loaded onto each laptop computer in the patrol vehicles;
- one manual, either hard copy or electronic, in the detectives vehicle; and
- one manual at the Dane County Communications Center, if allowed.

This level of dissemination will provide officers with reasonable access to the department's policies and directives.

Discussion and Analysis on Required Law Enforcement Policies: The following are discussion points relating to the department's compliance with the required law enforcement agency or employer policies based on statutory references from Wisconsin Statutes or United States Occupational Safety and Health Administration (OSHA).

- Discussion on High Speed Pursuit Policy: The department issued Policy 18.4 Vehicle Pursuits on May 1, 2000, and they are in compliance with required high speed pursuit policies pursuant to Wisconsin State Statute 346.03(6).
 - Gap Analysis: A 14-year period is a very long time to operate under a policy that

has significant opportunity for being impacted by case law and industry accepted best practices.

- Improvement: Policy review and revision if necessary.
- Discussion on Use of Force Policy: The department issued Policy 1.2 Use of Force as a revised policy on January 15, 2007, and they are in compliance with required use of force policies pursuant to Wisconsin State Statute 66.0511(2).
 - Gap Analysis: There is a gap relating to the May 2009 Wisconsin Department of Justice electronic control device training and deployment recommendation.
 - Improvement: Policy review and revision.
- Discussion on Citizen Complaint Procedure: The department has a Citizen Complaint Process that was created on February 28, 2013. Although the department is in compliance with required citizen complaint process pursuant to Wisconsin State Statute 66.0511(3), the procedure is not among the policy or procedure documents initially provided by the Chief.
 - Gap Analysis: No gap identified.
 - Improvement: Include the procedure in the listing of other department procedures that are currently active.
- Discussion on Open Records Policy: The department issued Policy 29 Records on May 1, 2000. Although the department is in compliance with required open records policy pursuant to Wisconsin State Statute 19.34(1), the policy was issued 14 years ago and is outdated in its reference to the police records management system (RMS).
 - Gap Analysis: The policy has outdated references.
 - Improvement: Review the statutes and case law for legislation or court decisions relating to the open records, and revise RMS reference in the policy.
- Discussion on Domestic Abuse Policy: The department issued revised Policy 32 Domestic Abuse on April 1, 2006, and they are in compliance with required domestic abuse policies pursuant to Wisconsin State Statute 968.075(3).
 - Gap Analysis: No gaps identified.
 - Improvement: None required.
- Discussion on Expander of Jurisdiction Policy: The department issued Policy 1.1A Limits of Authority on May 1, 2000. The policy has a reference to (1) Hot Pursuit. Section 175.40(2), Wis. Stats., and (2) Boundary Jurisdiction. Section 175.40(4), Wis.

Stats. The department is not in compliance with required policy pursuant to Wisconsin State Statute 175.40(6)(d). Additionally, the current policy was issued 14 years ago and there have been a series of legislative acts that may have impacted the policy. Those are: 2005 Wisconsin Act 414 dated May 19, 2006, and 2007 Wisconsin Act 20 dated October 26, 2007.

- Gap Analysis: The current policy is not in compliance.
- Improvement: Review the applicable legislative history and case law for Sec. 175.40 Wis. Stats., to determine if there were amendments or cases that may have an impact on the department's policy.
- Discussion on Reporting Abuse Policy: The department issued Policy 19.5 Reporting Abuse on April 1, 2006, and is in compliance with required reporting abuse policies pursuant to Wisconsin State Statute 48.981(3) (b) 3.
 - Gap Analysis: No gaps identified.
 - Improvement: None required.
- Discussion on Eyewitness Identification Policy: The department issued revised Policy 34 Eyewitness Identification on May 10, 2011, and they are in compliance with required eyewitness identification policy pursuant to Wisconsin State Statute 175.50(2).
 - Gap Analysis: No gaps identified.
 - Improvement: None required.
- Discussion on Privacy in Locker Room Policy: The department has locker rooms for use by both male and female employees and the department is in non-compliance with the policy required by Sec. 175.22 (2) Wis. Stats.
 - Gap Analysis: The department is non-compliant with Sec. 175.22 (2) Wis. Stats.
 - Improvement: Review the applicable statutes and case law as a resource to implement a policy regarding compliance with Sec. 175.22 (2) Wis. Stats.
- Discussion on Bloodborne Pathogens Exposure Control Plan: The department issued revised Policy 36 Bloodborne Pathogens Exposure Control on March 24, 2011, and they are in compliance with required Bloodborne pathogens exposure control plan pursuant to United States Occupational Safety and Health Administration (OSHA), standard (29 CFR 1910.1030).
 - Gap Analysis: No gaps identified.

- Improvement: None required.

During the consultant's assessment of the department's future policy development protocols, it was felt the response was superficial and intended to satisfy the immediate question. The consultants are recommending the following "top down" procedures to develop a new policy and procedure:

- make an outline of content and document the format;
- identify the conditions that apply to the policy subject matter;
- consider other agencies policies as a "frame-of-reference" only;
- include a staff member in the development of a draft document;
- present the draft to department staff for review and input;
- consider staff feedback;
- edit the document, and provide feedback if relevant;
- present the final draft to the Village Attorney for review and feedback;
- consider final reviews and feedback;
- finalize the policy; and
- issue the policy, either in a staff meeting or via email to all department staff, and post it on squad room bulletin board. Additionally, include an audiotape briefing mechanism by the Chief to explain the key portions of the policy and to verbally bridge any gaps that existed from the reviews and feedback. The intent here is for all staff to hear the Chief introduce the policy, as though there were face-to-face.

Recommendations for Improvement of Cottage Grove Policy & Written Directives

The following recommendations are made, in no particular order of importance, with the intent the department can increase its effectiveness and provide a platform of clarity relating to departmental policy and written directives:

Recommendation #9: Develop and implement a policy that creates and governs a written directives and policy system. Strong consideration should be given to include the components of the accepted and industry best practices.

Recommendation #10: In conjunction with policy development recommendations, the department should subscribe to the International Association of Chiefs of Police (IACP) Model Law Enforcement Policies database that is administrated by the National Law Enforcement Policy Center (NLEPC) and is available in the secure section of the Wisconsin Law Enforcement Network (WILENET).

Recommendation #11: Develop and implement a process that provides for a historical tracking of written directive and policy (index) relating to policy retractions, revisions and replacements. Each revised policy document should reference the previous, along with a statement that the previous document is no longer in force. This intends to ensure that the most current documents are included in the department's policy manuals and provides for a historical relationship based on the policy subject matter.

Recommendation #12: Establish a written directive review and revision process with the goal of completing the review (and revision) for existing directives within 18 months, with immediate action on Locker Room and Expander of Jurisdiction policies. Thereafter, incorporate into policy an ongoing review schedule intended to provide for a review of each policy once every three years.

Recommendation #13: Develop and implement a locker room policy as required by Sec. 175.22 (2) Wis. Stats. This intends to bring the department into compliance with required law enforcement agency policies pursuant to state law.

Recommendation #14: Develop and implement a process that provides for patrol staff input during the policy development phase.

Recommendation #15: Develop and implement a process that provides for patrol staff training during the policy implementation phase.

Recommendation #16: Develop and implement a process that provides for ensuring the department's dissemination of written directives. At a minimum, the department should incorporate the following to disseminate their written directives:

- one manual in the squad room of the police department;
- one manual for each sworn officer employed by the department;
- one manual electronically loaded onto each laptop computer in the patrol vehicles;
- one manual, either hard copy or electronic, in the detective's vehicle; and
- one manual at the Dane County Communications Center, if allowed.

Recommendation #17: Engage third party assistance with the policy development and issuance process either through future hiring and/or through a contractor.

Rationale for Recommendations

Rationale for Recommendation #9: The development of a policy intends to include all aspects of policy development and provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties.

Rationale for Recommendation #10: The subscription to the IACP model policy database intends to provide the department with a body of model policies to augment future policy development. It is important to note that these policies are written as “boilerplate” and require a great modification to assure that are institutionally relevant.

Rationale for Recommendation #11: The development of a written directive indexing process intends to ensure that the most current documents are included in the department’s policy manuals and provides for a historical relationship based on the policy and/or written directive subject matter.

Rationale for Recommendation #12: The development of a written directive review and revision process intends to provide an immediate review for three policies that are required by state law, and provide for an ongoing review of all written directives to ensure their applicability with corresponding law, departmental operational practices and community expectations for service levels.

Rationale for Recommendation #13: The development of a locker room policy intends to bring the department into compliance with required law enforcement agency policies pursuant to state law.

Rationale for Recommendation #14: The development of a process for patrol officer input during the policy development phase intends to increase policy ownership by the officers, add clarity to the policy, and may eliminate the need to “revise” a newly issued policy because something was overlooked or missed by the author.

Rationale for Recommendation #15: The development of a process for patrol officer training during the policy implementation phase intends to ensure that patrol staff clearly understand the intent, purpose and application of written directives. The training documentation can also serve as documentation of each officer’s receipt of written directives.

Rationale for Recommendation #16: The development of a process for expanding the department's dissemination of written directives intends to provide officers with reasonable access to the department's directives at any given period or circumstance during their shifts.

Rationale for Recommendation #17: Although an effort has been made to include officers in the policy drafting process, it has been met with mixed results. Persons who author policy must have appropriate experience, and given the current staffing configuration, other than the Chief, there is no staff available to assist with policy development. The Village can bridge this gap by either following hiring recommendations which appear in other sections of this report or by contracting assistance for the Chief.

Accepted and Industry Best Practices for Policy and Written Directives

Best Practice #1

Commission on Accreditation for Law Enforcement Agencies (CALEA). Standards for Law Enforcement Agencies: The following CALEA Policy and Written Directives Standards, Version 5.19, dated April 3, 2014, Chapter 12, relating to policy and written directives processes and procedures are used to govern an effective written directives function.

- CEO Authority and Responsibility: A written statement issued by a unit of government, a law or ordinance, or combination thereof designates the authority and responsibility of the Chief executive officer. Commentary: None.
- Command Protocol: A written directive establishes the command protocol for the following situations, at a minimum:
 - in the absence of the Chief executive officer;
 - in exceptional situations;
 - in situations involving personnel of different functions engaged in a single operation; and
 - in normal day-to-day agency operations.

Commentary: A system of succession should be established to ensure that leadership is available when the agency's Chief executive officer is incapacitated, off duty, out of town, or otherwise unable to command. For anticipated absences for extended periods, the CEO should designate, in writing, an "acting" authority. Command also may be predetermined for certain emergency or critical incidents (Critical Incidents, Special

Operations and Homeland Security) and for specific operational activities. Command protocol should clarify authority, alleviate confusion, and ensure uninterrupted leadership.

- Obey Lawful Orders: A written directive requires employees to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. The directive must also include procedures to be followed by an employee who receives a conflicting or unlawful order. *Commentary: None.*
- Functional Communication/Cooperation: A written directive establishes procedures for communication, coordination, and cooperation among all agency functions and personnel.
Commentary: The agency should encourage and support the exchange of information among all agency functions and personnel for the purpose of coordinating activities. There are a number of ways to communicate information, such as attendance of investigative personnel at patrol shift briefings, staff meetings, e-mail, voice mail, other electronic systems, and exchange of daily bulletins.
- The Written Directive System: The agency has a written directive system that includes, at a minimum, the following:
 - agency values and mission statement;
 - a statement that vests in the agency's Chief executive officer the authority to issue, modify, or approve agency written directives;
 - identification of the persons or positions, other than the agency's Chief executive officer, authorized to issue written directives;
 - rules and regulations;
 - procedures for carrying out agency activities; and
 - procedures for review of proposed or revised policies, procedures, rules, and regulations prior to their promulgation;
 - a description of the written directives system format;
 - procedures for indexing, purging, and revising directives;
 - statements of agency policy;
 - action to ensure they do not contradict other existing agency directives or applicable law.*Commentary: The agency should establish a formal written directive system to provide employees with a clear understanding of the constraints and expectations relating to the performance of their duties. The written directive system should permit*

rapid access to individual policies, procedures, rules and regulations, and should differentiate types of directives, e.g., general order, special order, personnel order. Each agency has the latitude to use a variety of types of written directives. However, the agency should make it clear what level of authority is required to issue each type of directive, e.g., only the CEO may issue rules and regulations, division commanders may issue standard operating procedures. The agency should also make it clear that a written directive pertaining to a subordinate component may not contradict a directive issued by a higher level authority, e.g., a division procedures manual may not contradict an agency-wide regulation. Every written directive should be reviewed annually by the issuing authority to determine if changes should be made because of changed circumstances or occurrences during the previous year.

- Dissemination and Storage: A written directive establishes procedures for the dissemination and storage of agency written directives, and addresses, at a minimum, the following:
 - dissemination of existing, new, or newly revised directives to all affected personnel whether (1) in hard-copy form or (2) through a computerized documentation system, backed up by hard copies of the directives or electronic media containing the directives in sufficient number to place at specified accessible locations for reference by all whether (1) by their incorporation into manuals or (2) by their storage in a computerized affected personnel;
 - storage of written directives documentation system and placement of hard copies in manuals or electronic media containing the directives placed at specified accessible locations for reference by all affected personnel; and
 - acknowledgment indicating receipt and review of disseminated directives by affected personnel whether in written form or in some other way that is at least equally effective.

Commentary: *Regarding the option of disseminating written directives in hard-copy form, the agency may either distribute the directives to each person affected by them or place the directives at specified locations if timely access to the directives for reference by affected personnel can be assured. Regarding the computerized dissemination system, back-up copies in an accessible media form are placed at specified accessible locations so that personnel can refer to directives in a timely*

manner when, for example, the computerized documentation system is not operating or is otherwise inaccessible.

Best practice #2

The International Association of Chiefs of Police (IACP), Best Practices Guide, Developing a Police Department Policy-Procedure Manual. The following excerpts³⁴ from the best practice guide are recommended by the International Association of Chiefs of Police:

- **Rules for Effective Manual Development and Implementation:** When developing operational policy and procedures, several general principles should be remembered:
 1. The operations manual should be comprehensive, providing staff with direction and guidance for all aspects of the department's operations.
 2. The manual should be clearly written and easy to use.
 3. The manual should be consistent with and mirror the organizational philosophy, legal requirements and applicable standards.
 4. Staff should be involved in the development of the manual and kept informed of any changes.
 5. Staff should receive adequate training and participate in open, frank discussions about the policy and the reasons for its requirements.
 6. The operations manual should be considered a living document. Routine inspections and reviews should be completed to ensure compliance with its directives so that the manual remains current.
 7. The manual should reflect and incorporate accepted state and national best practices, such as, model policies like those developed by the IACP's National Law Enforcement Policy Center or other law enforcement organizations' general guidelines for policy-procedure manuals as developed by CALEA (Commission on Accreditation for Law Enforcement), state law enforcement associations and others.
- **Formation of the Policy Committee:** Developing a policy manual is a critical undertaking. Involving staff in the developmental process provides a vehicle for employees' abilities and potentials to be both challenged and recognized.
- **Sources of Information:** When preparing to develop each area of the manual, a variety of sources should be reviewed for information to be included in the policy.

³⁴ Please refer to the IACP Best Practices publication for review in its entirety.

1. The governing authority's procedures are binding upon the department's operations in many areas, particularly employment procedures and compensation benefits. The department's procedures cannot be in conflict with policies of the governing authority or they will automatically be considered null and void.
 2. Intergovernmental agreements and contracts for services
 3. Mutual aid agreements, emergency operation plans and previously agreed upon protocols
 4. Standards such as the Standards for Law Enforcement Agencies by the Commission on Accreditation for Law Enforcement Agencies (CALEA)
 5. Existing departmental policies, procedures, and general orders, oftentimes provide ample direction for officers and should not be arbitrarily abandoned.
 6. Model policies provide a basic document to use as a starting point in the development of a manual.
- Organization of the Manual: Before beginning to write the manual, several issues relating to formatting must be discussed and decided on including scope, headers, pagination, key phrases, and index. The scope of the manual must be identified. Most smaller agencies have a comprehensive manual that regulates all of the department's administration and operations.
 - Committee Review: After the topics to be included in the manual have been identified and finalized, the drafting of policies can begin. The policy development steps are:
 1. The policy committee meets and members reach a consensus regarding what should be included in each section. Any discussion points, questions, and concerns identified during meetings should be noted by the coordinator and provided at the next meeting.
 2. Using the information provided by the committee, the project coordinator (or the designated committee member) develops all draft policies (see "Steps for Developing an Operations Manual" below). The policy development committee should not be used to write the manual. If members were expected to compose the manual as a collective group, it would never get done.
 3. Copies of the draft policy are sent to committee members for review and comment.
 4. Committee members may individually return their draft copies with comments to the coordinator or meet as a group to discuss their concerns. As the manual is reviewed, committee members should be primarily concerned with the validity of the policies. That is, does the policy regulate or direct department operations and employee conduct

in the manner in which it was intended. Any contradictions, gaps, or inconsistencies should be identified and corrected. This review should also ensure each policy is grammatically correct, correctly spelled, and easily understood.

5. The coordinator reviews the comments by the committee and makes the necessary changes to the drafts.
 6. Copies of the second draft are sent to the committee members for review. In some cases, it may be necessary to repeat Steps 4 and 5.
 7. The coordinator submits the final draft to the department's legal counsel to ensure the proposed policy is in compliance with current local, state, and federal laws. There are differing opinions about the decision to have legal counsel review each policy or restricting the review to areas of high liability and where legal questions exist. This is a decision that should be made by leaders in each community.
 8. When the legal review is complete, any comments or changes may be sent to the committee for final review. In some communities, it may be necessary to send the approved policy to the City Manager for review.
 9. Upon final review, the coordinator places the policy in final form and prepares it for distribution to department staff.
- Procedure Development Steps: Before embarking upon the procedure development, it is recommended the committee take the time to identify and articulate the department's core values, mission statement and vision statement. When writing the procedures, the use of scenarios can be helpful tools in the development process, clarifying each component of the procedure and the supporting agency values and mission. Completing the scenario helps to identify the duties and functions that must be completed with each task. The steps are:
 1. Start with the end in mind. Assuming an officer completes the scenario successfully, identify the desired outcome.
 2. Review the literature/research material for issues that should be addressed in the policy being developed. Also review the committee's notes of discussion points, questions, and concerns.
 3. Outline the actions/steps to be completed to achieve the goal or complete the function successfully.
 4. Place the outline steps in sequential order.
 5. Identify the person/positions to be involved in completing the tasks in Steps 2 and 3.
 6. Be sure to identify and include any special equipment, supplies and material to be used

with the procedure.

7. Compose the draft directive and submit it to the policy committee for review.

- **Implementation and Confidentiality:** After the manual has received final approval, it is ready to be implemented.
 1. Each officer should be issued a copy. Most departments issue their manuals in a three-ring binder.
 2. Once the manuals are issued, staff should be given ample time to read them before the training program begins.
 3. After being provided sufficient opportunity to read the policy, officers must be trained on the manual and fully understand its requirements before it can be implemented.
 4. When the training is complete, documentation should be maintained that officers have been issued their manuals, trained on the content and understand its requirements.

This documentation may include a copy of the manual, lesson plan, sign-in attendance sheets, tests given to measure comprehension and officers' test scores.

- **Inspection and Review:** Once the new manual has been implemented, only half of the work is completed. Department officials must ensure the policies are being followed. If the work is not done in accordance with the policy, the manual is meaningless because the custom is the policy. This situation is more problematic than not having a policy. Informal customs attack the credibility of the department's operational procedures and administration. It also increases the department's exposure to potential liability.

What gets inspected is what gets done. There are several ways to ensure compliance with the manual. One way is to form a check sheet that lists various inspections that are to be conducted by staff, and the frequency of the inspections. It is a simple process of checking off when the inspection is complete. In some cases, policy may require internal and external inspections.

In the event officers are not in compliance with the department policy, a decision must be made as to the appropriate corrective action, ranging from remedial training to counseling to punishment. In some cases, a change in policy may be required.

Benefits to the Police Department

In today's litigious society, state and local governments are exposed to a myriad of lawsuits arising from the actions or inactions of their law enforcement personnel. Developing, maintaining, and

revising a police department's operations manual is a monumental undertaking. However, if completed properly, the community, its governing authority, Chief executive, and department's staff can be assured their operations are in compliance with current practices and standards. It will ensure that staff act in a consistent, professional and legal manner. It will also ensure department staff is prepared for unusual circumstances and that the correct course of action is identified.

Introduction to Education and Training

Training has often been cited as one of the most important responsibilities in any law enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training.

Training programs should ensure that the needs of the agency are addressed and that there is accountability for all training provided. In particular, training should be consistent with the agency's mission and values as well as goals and objectives. Program development should provide for input from several sources, including agency personnel in general, a training committee, performance evaluations and most importantly, the agency's chief executive officer. Career development is a structured process that is utilized by an agency to provide opportunities for individual growth and development at all levels. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction.

So that agencies can deal effectively with law enforcement problems in an increasingly complex and sophisticated society, there should be parallel increases in the level of education and training required for law enforcement officers. Higher education, by itself, is not an absolute answer in achieving improvement in law enforcement agencies; however, officers who have received a broad general education have a better opportunity to gain a more thorough understanding of society, to communicate more effectively with citizens, to work more effectively with diverse populations and to engage in the exploration of new ideas and concepts.

Recommendations for Improvement for Education and Training

Recommendation #18: Develop and implement a policy that creates and governs the department's education and training function. Strong consideration should be given to include the components of the accepted and industry best practices.

Recommendation #19: Develop and implement a process that represents both organizational and individual officer training goals for consideration during the Village's budget preparation process. This should be a proactive process that is linked to staff's evaluation cycles. This recommendation should be considered as one component which increases the department's investment in staff development.

Recommendation #20: Develop and implement a budget strategy that includes the Wisconsin Department of Justice officer recertification training reimbursement, with a commensurate amount of funding added to the department's training budget. This recommendation should be considered as a short-term strategic decision which increases the department's investment in staff development.

Recommendation #21: Develop and implement a process that provides annual specialized training for the Detective and patrol staff. Ideally, each officer should receive 40 hours of specialized training that has been identified as serving both the department's needs and officer's interest. This recommendation should be considered as one component which increases the department's investment in staff development.

Recommendation #22: Develop and implement a process that expands the current field training program to a minimum of 16 weeks of recruit officer training. Ideally, each recruit officer should complete the field training in a continuous and back-to-back weekly training environment. In the event that the salary scale becomes flexible and competitive enough to allow for lateral hires from other agencies, the field training curriculum should be modified based on a "test out" mechanism. This mechanism should be designed to guarantee that the laterally transferred officer has the requisite problem solving and critical thinking skills to exercise independent decision making.

Recommendation #23: Develop and implement a remedial training component for officers who do not meet training course performance standards. This component should be flexible enough to be used for the extension of service for probationary employees as well as for employees who need a structured program to mediate performance deficiencies.

Recommendation #24: Create collaborative canine training efforts which expand the participation of the training from only the canine officer to include other patrol staff.

Recommendation #25: Develop an in-service evaluation tool which all of the agencies who participate in the in-service training must complete that has qualitative and quantitative performance measures.

Recommendation #26: Using the data collected from evaluation of in-service training, carefully analyze the structure of the in-service curriculum, staffing and partnership groups. This analysis should focus on the effectiveness of the in-service training and on whether or not the curriculum has a positive impact on the improvement of officer's skills and performance.

Recommendation #27: Integrate results of recommendations #25 and #26 into policy changes, performance evaluation and short-long term planning for training that is specific to emerging local crime issues.

Rationale for Recommendations

Rationale for Recommendation #18: The development of a policy intends to include all aspects of training, ranging from recertification compliance, to overall staff development.

Rationale for Recommendation #19: The development of annual training objectives intends to provide clearly identified training goals along with documentation for the commensurate funding level. This process is especially relevant for advanced and/or executive training sessions that are beyond the 24- to 40-hour course timeframe, such as attendance at an Executive Development Institute.

Rationale for Recommendation #20: The inclusion of the Wisconsin Department of Justice training reimbursement intends to augment the training opportunities with a state-funded program.

Rationale for Recommendation #21: The annual specialized training for non-supervisory officers intends to provide the Detective and patrol staff with ongoing skill development within an area of an officer's interest or special assignment.

Rationale for Recommendation #22: The expanded field training program intends to provide additional field training opportunities, while maintaining continuity in recruit officer field training development.

Rationale for Recommendation #23: The development of a remedial training process intends to identify training course deficiencies and officer competency, and augment remedial training as a function of correcting unsatisfactory job performance or as a function of discipline.

Rationale for Recommendation #24: Specialized programs must be integrated within the department so staff value and appreciate the impact of the program. Lacking that, officers will choose not to support the programming.

Rationale for Recommendation #25: There is a minimum of formal post-event critique resulting in a lack of input from staff at all levels. Measurement of training outcomes should be specific and detailed so program improvement is continuous.

Rationale for Recommendation #26 and #27: The size of the training consortium has migrated between different sized agencies throughout the years and is focused on using internal trainers to lower cost and focus curriculum on “like size” agency needs. Although these changes are well intended, the unintentional consequence is that they move the focus on training needs away from “emerging trends” to “rudimentary skills.” This shift in focus essentially lowers the learning curve, which minimizes the impact of in-service training. By blending the training, the officers will become more engaged and more prepared, and adjust more quickly to resolving complex problems.

Accepted and Industry Best Practices for Education and Training

Commission on Accreditation for Law Enforcement Agencies (CALEA). Standards for Law Enforcement Agencies: The CALEA Training and Career Development Standards³⁵, Chapter 33 relate to training directives, processes and procedures used to govern:

- department training committee;
- attendance requirements;
- employee training reimbursement;
- lesson plan requirements;
- remedial training;
- employee training records;
- training class records;
- outside academy role;
- entry-level training required;

³⁵ Please refer to the CALEA standards manual for review in its entirety

- recruit training program;
- field training program;
- annual retraining program;
- roll call shift briefing training;
- specialized training program;
- tactical team training program;
- new hire civilian orientation;
- civilian pre-service and in-service training;
- career development personnel training;
- skill development training upon promotion;
- career development program; and
- educational incentive program.

Benefits to the Police Department

The recommendations will benefit the department through the public's trust and confidence in trained police officers, greater accountability in the department, reduced risk and liability exposure and stronger defense against civil lawsuits. Through an effective training program, with long-term goals linked to systematic planning, the agency will develop an effective succession plan. Studies indicate that well-trained police officers have higher morale and are more productive in the workplace.

Introduction to Collective Bargaining

There are many variations among law enforcement agencies regarding the administration of the collective bargaining process. These range from procedures that are completely removed from the agency and are carried out by local officials or through the use of an outside specialist or collective bargaining professional. Agency personnel may participate in conjunction with other government officials or with the assistance of collective bargaining specialists.

Current Conditions of Collective Bargaining

Collective Bargaining Policies: Although at one historical point the department had a collective bargaining policy, Policy #11 Collective Bargaining, the policy was rescinded and cancelled on March 23, 2011.

The officers are represented by the Wisconsin Professional Police Association (WPPA), Law Enforcement Employee Relations (LEER) division. The current collective bargaining agreement expired in December 2011, and a successor agreement for 2012 and beyond is currently in negotiations pursuant to section 21.03. The current agreement is with the Village and Town of Cottage Grove, through the joint Village and Town Law Enforcement Committee (LEC).

The WPPA is the exclusive bargaining representative for all regular full-time and regular part-time employees with the power of arrest employed by the Cottage Grove Police Department, excluding supervisory, managerial and confidential staff. The employees are represented by the WPPA and a LEER business agent. The employer is represented through its LEC agreement and labor relations counsel. The negotiating team consists of the Labor Attorney (current spokesperson), Town Board Chair (Currently LEC Chair), Village Board President, Village Administrator, and the Police Chief.

The Village and Town's (LEC) approach to collective bargaining is typical of smaller municipal jurisdictions with multiple-year agreements. Generally, the WPPA will submit the required notification to reopen the collective bargaining agreement for a new successor agreement. The LEC negotiating team and WPPA will meet and exchange proposals. The LEC and WPPA meet with the necessary frequency to work through the proposals. Once a tentative agreement (TA) has been struck, the TA goes before the LEC, Village Board and Town Board for ratification. Once all Boards have ratified the TA, it goes to the WPPA Cottage Grove represented group for ratification.

Analysis of Collective Bargaining

Although the Village and Town's LEC approach to collective bargaining is somewhat typical for a jurisdiction their size, the consultants found redundancy and potential confusion relating to the role of LEC (comprised of both Village and Town elected officials), and the role of each municipal governing board, independent of the joint LEC. The collective bargaining agreement is signed by both the Village and Town officials, notwithstanding the role of the LEC.

Recommendations for Improvement for Collective Bargaining

The Consultants could not locate any administrative or operational policies, either from the Village or Police Department, which governed the collective bargaining process. Prior to March 23, 2011, Cottage Grove Police Policy #11, Collective Bargaining was presumed to be in effect, as it was among several policies that were cancelled on 03-23-11.

Recommendation #28: Continue the practice of engaging the Chief as a member of the employer's negotiation team and the Chief's direct participation at the negotiating table for collective bargaining agreements.

Recommendation #29: Notwithstanding the pending Village dissolution from the joint LEC agreement, develop and implement departmental or Village (employer) policies that address the industry best practices relating to collective bargaining.

Rationale for Recommendations

Rationale for Recommendation #28: When the Chief has a direct role in the contract negotiations, there is a clear understanding of the contract discussions, economic offers and language modifications. The Chief has a first-hand opportunity to "hear out" the represented employee group's concerns, issues and complaints. He or she can serve in the role of "fact gathering" and has the benefit of understanding what the issues are relating to the discussion.

Rationale for Recommendation #29: When the employer (Village and Department) considers the industry best practices, they will have the insight to help ensure that both the village and police department are cognizant of the applicable administrative procedures, laws and related legislation that governs the collective bargaining process. Although the Chief feels the management-labor relationship is improving, the department can augment their management-labor practices and relationship (both internally and externally) through the implementation of collective bargaining policies.

Accepted and Industry Best Practices for Collective Bargaining

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The following CALEA, 24.1 Collective Bargaining and Contract Management standards, Version 5.19, dated April 3, 2014, relate to collective bargaining procedures used to govern collective bargaining work performed by the agency employees.

Agency Role: If there are represented employees in the agency, a written directive describes the role of the agency in the collective bargaining process, and includes:

- establishment of a collective bargaining team for the agency with one person designated as the principal negotiator;
- identification of the bargaining unit or units representing an agency's employees with which it will negotiate;
- a commitment by the agency to participate in "good faith" bargaining with the duly recognized bargaining units representing its members;
- a commitment to abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration; and
- a commitment to abide, in both letter and spirit, by the negotiated labor agreement that has been signed by management, labor representatives, and ratified by the bargaining unit.

Commentary: The agency should abide by all legally applicable laws and rules governing the collective bargaining process. The relationship of agency personnel with other members of the bargaining team should be clearly defined. The directive should clearly establish the agency's role when its members comprise the entire bargaining team as well as when they will be working with individuals from outside the agency.

Ratification Responsibilities: When a negotiated labor agreement is ratified by all parties, the agency's CEO, or designee, will:

- obtain a written, signed copy of the labor agreement;
- review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement; and
- disseminate information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees.

Commentary: In order to avoid violating the labor contract, it is essential that all operating directives be amended to agree with language in the labor agreement. Copies of the signed agreement should be made available to those who supervise and manage employees in the bargaining unit and to further ensure that labor harmony is maintained. Changes in existing contract language should be disseminated to those same supervisors and managers.

Benefits to the Police Department

As the Chief executive officer, the Chief's presence at the bargaining table demonstrates leadership for the overall health of the department's collective bargaining environment. When the Chief is involved in the ebb and flow of negotiations, it should serve to augment the department's management-labor practices and relationships, both internally and externally.

When the contract is ratified, it is important to bring the department up to speed in the implementation of the new agreement. It is essential that all operating directives be amended to agree with language in the labor agreement, and copies of the signed agreement should be made available to those who supervise and manage employees in the bargaining unit to further ensure that labor harmony is maintained.

Introduction of Disciplinary Procedures

The word discipline comes from the word disciple, which means to train. The elements of the disciplinary system should include training, rewarding, counseling, and punitive actions in the interest of discipline.

Effective discipline is a positive process when its perceived purpose is to train or develop by instruction. Among the programs having an impact on discipline in a law enforcement agency are selection, training, direction, supervision, and accountability. These elements are interdependent, and a weakness in any one is damaging to effective discipline.

Current Conditions of Disciplinary Procedures

The department's approach to handling and resolving discipline are directly related to Article 2 – Management Rights of the collective bargaining agreement, and Article VII – Discipline and Complaints of the Cottage Grove Police Commission By-Law and Rules of Procedure, dated October 7, 2010. During staff interviews, the Chief stated there were no other policies or written directives that govern the disciplinary process; however, subsequent to the interview, during a review of the department's policies, Policy #13.2 Disciplinary System, dated 12-12-2008, was located. The policy

was a revised policy from May 1, 2000. Policy 13.2 is listed in the CGPD³⁶ Quality for Performance Manual Table of Contents dated March 24, 2011.

During police department policy reviews, the consultants did not find any references to the seven steps of just cause that is found in Sec. 62.13 (5)(em), Wis. Stats. The Consultants did find references to Sec. 62.13 (5)(em), Wis. Stats in the Cottage Grove Police Commission By-Law and Rules of Procedure, dated October 7, 2010. During the project document review, the consultants observed that discipline is included in the Village Personnel Police Manual with a reference to Wis. Stat. 62.13. It stated that the application of Sec. 62.13, Wis. Stats. is limited to police personnel only and the Village's Personnel Policy on discipline does not apply to police officers.

Analysis of Disciplinary Procedures

Although the department's disciplinary policy, Policy #13.2 Disciplinary System, exists, there is no evidence the policy was ever implemented, and the Chief's acknowledgement that a policy did not exist suggests there is disconnect between the policy and the current conditions. The policy references Sergeants in a supervisory role, when there are no sergeants in the department. The policy does touch many of the accepted practice areas for a disciplinary system at the department level. The Chief's lack of knowledge of the policy further suggests that any discipline exercised under his administration was outside of the policy guidelines.

The department's written directive, #13.1 Code of Conduct, dated March 15, 2011, should serve as the primary administrative written directive that provides officer conduct guidelines. The written directive was issued as a revision to the same document dated May 1, 2000. As is the case with policies generally, there is no evidence policy 13.1 was implemented.

Although the Chief referenced the application of the Cottage Grove Police Commission's ByLaws and Rules of Procedure for discipline guidelines, upon review it is the consultant's observation that Article VII – Discipline and Complaints is intended to provide authority to the Police Commission to dispose of disciplinary matters pursuant to Chapters 61 and 62 of Wisconsin Statutes. The Article does provide a reference to the role and authority of the Chief pursuant to the same statutes. In the absence of a police department policy reference for the seven steps of just cause pursuant to Sec. 62.13 (5)(em), there are no clearly stated guidelines for the Chief's administration of discipline.

³⁶ Cottage Grove Police Department

Finally, the consultants were troubled by the lack of, or the inconsistent implementation of, operational-administrative policies and job descriptions. Both of those components have a direct relationship to supporting an effective disciplinary system. It would be extremely challenging to discipline an officer for non-compliance with a policy and/or directive, given the inconsistent nature of discipline in the department and the lack of adherence to procedural practices.

Recommendations for Improvement for Disciplinary Procedures:

Recommendation #30: Review, revise, validate, and implement Policy #13.2, Disciplinary System, which creates and governs a disciplinary system and process for all employees, i.e., full-time, part-time, limited-term, and clerical staff. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development. Special consideration is recommended to include language which reflects the components of Sec. 62.13 (5) (em) for the seven steps of just cause.

Recommendation #31: Review, revise, validate, and implement Policy #13.1, Code of Conduct, which creates and governs a conduct for all employees, i.e., full-time, part-time, limited-term, and clerical staff. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #32: Review, revise, validate, and implement job descriptions that are based on a job-task-analysis of all sworn positions in the department. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Rationale for Recommendations

Rationale Recommendation #30: This intends to include all aspects of the principles of discipline, including those that are considered as accepted and industry best practices. The policy revision should reflect the current organizational structure of the police department's ranking authority. Including the seven steps for just cause will reinforce to employees that, should they become the subject of discipline, there are written guidelines to govern the process.

Rationale Recommendation #31: This intends to establish clearly stated rules, regulations and codes of conduct which encompass and describe expectations of behavior for all employees, both on- and off-duty.

Rationale Recommendation #32: The development of a job description intends to include all aspects of “best practices” to formally represent the job components for each sworn position in the department. The job description serves as the foundation for several other personnel management functions. The development of a job task analysis intends to include all aspects of “best practices” to better formalize the department’s documentation of actual job tasks performed by an officer.

Accepted and Industry Best Practices for Disciplinary Procedures

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Disciplinary Procedures Standards ³⁷ 26.1 relates to discipline procedures used to govern:

- code of conduct;
- employee awards;
- sexual harassment;
- disciplinary system;
- role and authority of supervisors;
- appeal procedures;
- dismissal procedures; and
- records.

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Classification and Delineation of Duties and Responsibilities Standards ³⁸, Chapter 21, relate to directives and procedures used to govern:

- job task analysis; and
- job description maintenance and availability.

Benefits to the Police Department

When the elements of the disciplinary system identify the measures to be applied to employee conduct in the interest of discipline, it promotes a sense of fairness to the employee and the agency, and should stimulate employee morale and motivation. Through the use of counseling and training

³⁷ Please refer to the CALEA standards manual for review in its entirety

³⁸ Please refer to the CALEA standards manual for review in its entirety

as functions of discipline, employee productivity and effectiveness should improve through positive and constructive methods. Finally, the disciplinary system should serve the department to ensure consistency in punitive actions, with the severity of each alternative geared to the actions of the employee.

The development and implementation of job descriptions will provide the department with the foundation for an effective personnel management and supervision system that includes: recruitment procedures, selection procedures, performance evaluations, field training programs, promotions, training strategies and special assignments. The objective data generated by task analysis can provide strong evidence in legal and judicial proceedings concerning hiring and promotion programs.

Introduction to Grievance Procedures

The grievance procedures are an important element of a sound personnel system and should provide a formal method that allows employees to resolve their grievances with management fairly and expeditiously. Good management practices recognize that a carefully designed grievance process can help to reduce personnel dissatisfaction, improve morale, identify problems in the organization, and increase the positive perception employees have of the organization. Formal grievance procedures usually evolve from informal attempts to resolve differences between employee and employer.

Current Conditions of Grievance Procedures

The department's approach to handling and resolving grievance are directly related to the grievance provisions of Article 6 – Grievance and Arbitration of the collective bargaining agreement, and there are no other policies or written directives that govern the process. At a historical point, the department had a grievance procedure policy, Policy #14 Grievance Procedures, which was cancelled on March 23, 2011.

Analysis of Grievance Procedures

The department's grievance handling is typical of a smaller agency with limited levels of command and supervision. There are no references to the role of a particular rank of a supervisor, and as such, under the current structure, the Chief handles all grievances at the department level. The department's grievance history for the years of 2011, 2012 and 2013 resulted in three (3) filed

grievances. Given the depth of staffing, scope of assignments, and changing police administrations, three grievances is not an alarming number, nor is it a number that suggests a need for more formality in managing contractual challenges. Historically, there has been a legacy of the use of the “threat of grievance” to manage supervisor’s actions. Unfortunately, this has become an informal mechanism through which negotiation takes place and procedures have been “adjusted” to avoid formal resolution to issues, particularly issues involving schedules and overtime.

Recommendations for Improvement for Grievance Procedures:

Recommendation #33: Provide adequate legal support to Chief to assure he has the resources to formalize scheduling practices that are in the best interests of the department.

Rationale for Recommendation

Rationale for Recommendation #33: Over time, when informal micro-agreements are made regarding scheduling and overtime assignments, it erodes the morale of officers. In these circumstances it is often healthy to formalize a past practice in a way that sends a consistent message to all staff and is documented to capture the intent of actions.

Introduction to Internal Affairs

The internal affairs function is important for the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. To a large degree, the public image of the agency is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or its employees. Law enforcement officers hold and exercise an awesome power. They have the unique authority to remove a person’s freedom and to use deadly force. Although the nation’s majority believes police use these authorities appropriately, there are those who believe that the police abuse their power on a routine basis. An internal affairs investigative process is meant to ensure that department policy and procedures are followed and that all department employees follow agency standards of professionalism.

Current Conditions of Internal Affairs

The current Village of Cottage Grove, Personnel Policy Manual (dated April 15, 2013), Chapter 2 - Organizational and Administration, Section B: Delineation of Authority and Responsibility, Paragraph 3 has established department head requirements relating to personnel. As a department

head, the Chief of Police is responsible (among other things) to enforce personnel policies, rules and regulations in the police department. Internal affairs logically fall under the Chief's role and responsibility.

The department's Policy #23 Internal Affairs dated May 1, 2000, was reviewed. The policy is listed in the CGPD³⁹ Quality for Performance Manual Table of Contents dated March 24, 2011. The policy references a citizen complaint form as Appendix A; however, upon review, Appendix A was not attached or included. The department has created a Citizen Complaint Process dated February 28, 2013. The procedure references Sec. 66.0511(3), Wis. Stats., only for notice of malicious and deliberate false accusations. The department's approach to handling and resolving internal affairs (complaints against police officers or officer misconduct investigations) is handled solely by the Chief. Under the current organizational structure, there are no other supervisors to delegate internal affairs matters. Currently, policy #23 is not being used by the department, and the Chief handles all internal affairs and complaints based on his knowledge, understanding and experience.

Upon examination of a closed citizen complaint investigation from the fall of 2013, the Chief handled the complaint in an acceptable manner. During onsite visits, it was observed the internal affairs files are stored in an open and unsecured file cabinet/bookshelf in the Chief's office.

Recommendations for Improvement of Internal Affairs

Recommendation #34: Review, revise, validate, and implement Policy #23 Internal Affairs, which creates and governs an internal affairs process that meets the standards of applicable Wisconsin Statutes. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development. Consideration should be given to any planned command or supervisory staffing, and once those positions have launched, they should be incorporated into the policy and procedure of any revised policies.

Recommendation #35: Immediate attention should be given to secure the existing internal affairs files from their current storage area.

Recommendation #36: The Chief should implement a distribution and retention protocol to ensure that all police department staff have received, acknowledged and retained the Village Personnel

³⁹ Cottage Grove Police Department

Policy Manual. The Chief should provide for an annual review of the Personnel Policy Manual, with appropriate documentation.

Rationale for Recommendations

Rationale for Recommendation #34: A revised policy would offer the department the opportunity to consider employment and related case law that may have emanated from the courts, as well as amendments to the statutory requirement, i.e., Legislative History: 1987 a. 131; 1997 a. 176; 1999 a. 150 s. 366; Stats. 1999 s. 66.0511. Further, it supports that the agency will conduct its internal affairs based on accepted industry best practices.

Rationale for Recommendation #35: The consultants would like to see a lockable file storage unit, along with a key control system to improve overall security of the internal affairs files.

Rationale for Recommendation #36: The Village's Personnel Policy Manual is a key process to ensuring employee accountability and employment relationships, which are not addressed in a collective bargaining agreement. A clear understanding by all staff is essential for a sound personnel management environment.

Accepted and Industry Best Practices for Internal Affairs

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Internal Affairs Standards⁴⁰, Chapter 52, relate to internal affairs procedures used to govern:

- complaint investigation;
- records, maintenance and security;
- direct access to Chief executive officer;
- complaint registering procedures;
- annual summaries available to public;
- specification of complaint types;
- investigation time limits;
- informing the complainant;
- employee statement of allegations and rights;

⁴⁰ Please refer to the CALEA standards manual for review in its entirety

- submissions to tests and procedures;
- relieved from duty protocols; and
- conclusions of facts.

The International Association of Chiefs of Police (IACP), Best Practices Guide⁴¹, Internal Affairs: A strategy for Smaller Departments. The following excerpts from the IACP best practice guide are recommended by the International Association of Chiefs of Police:

- who receives the complaint;
- which complaints to accept;
- format of acceptance;
- notification of officer;
- administrative vs. criminal investigation determination;
- course of investigation;
- officer representation;
- polygraphs and psychological exams;
- thoroughness;
- participation by more than one investigator;
- notification time frames;
- storage and retention of files;
- disposition; and
- annual reports.

Benefits to the Police Department

Agencies having an internal affair function consistent with industry best practices will have the capability to respond appropriately to allegations of misconduct, malfeasance, and nonfeasance by employees, and to complaints about the agency's response to community needs, thereby instilling public confidence in the agency.

⁴¹ Please refer to the IACP Best Practices publication for review in its entirety.

Introduction to Performance Evaluation

Performance evaluations are an important management tool used to improve performance and discuss with employees their past work performance and future goals in relation to the Department's mission and values statement. Performance evaluations should be conducted on a scheduled and recurring basis by a supervisor (rater) who is the direct report and familiar with the employee's work performance.

Many police supervisors often lament that they cannot find the "right form" to use to conduct adequate performance evaluations. The right form is not important, but the process is critically important. If developed and conducted properly, performance evaluations should serve both management and employees:

- by fostering fair and impartial personnel decisions;
- by maintaining and improving performance;
- by providing a medium for performance counseling;
- by facilitating proper probationary employee decisions;
- by providing a means for measurement and recognition of individual performance; and
- by identifying employee and organizational training needs.

There typically is a direct relationship between performance evaluation and the department's recruitment and selection, training and career development, promotions, job descriptions, and grievance procedures. This relationship is based on the fact that the nature and quality of the employees' performance have a bearing on their working life in the department, on the manner in which they relate to management, and on their assignments and promotions.

It is important that the principles of evaluation be applied to ensure the best use of human resources available, to ensure that personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of each employee. Constant attention by management is needed to eliminate personal error and biases on the part of the raters. The key to successful operation of the performance evaluation system will always be the Chief, who must monitor its functioning to ensure that it is fair and impartial and is achieving established objectives consistent with sound personnel management.

Current Conditions of Performance Evaluation

The department has a policy regarding performance evaluations, Policy #17 Performance Evaluations, dated May 1, 2000. The policy is listed in the CGPD⁴² Quality for Performance Manual Table of Contents dated March 24, 2011.

The Village Personnel Policy Manual, Chapter 5 – Performance Evaluations, dated April 15, 2013 has established a Village-wide performance evaluation process that requires evaluations for each employee on an annual basis. The Chief indicated that upon his arrival in March 2012, he located performance evaluation documents from the previous police administration. Currently, the police department does not provide regular and ongoing performance evaluation for its employees, with the exception of probationary officers. In 2013, the Chief provided an officer with a “performance improvement plan” (PIP), which resulted in an evaluation of performance.

The department does not have a formal performance counseling component and the Chief described counseling as verbal, with a written notation on a scrap of paper regarding the subject matter and logistics. The department has job descriptions in draft form (references an issued date of 11-29-12) for all positions in the agency, however, none have been issued, resulting in “undocumented” job duties and performance expectations.

The department has a field training officer (FTO) program and there is written guidelines to govern performance assessments for the program. The Chief informally evaluates the skill level of the field training officers when he reviews the training status reports. There is nothing documented in writing regarding the performance of an FTO trainer.

Analysis of Performance Evaluations

The department’s performance evaluation policy, Policy #17 Performance Evaluations, is inadequate to serve the function of a well-established performance evaluation system. The policy is missing many key components that are necessary to effectively manage performance evaluations. With some limited exceptions noted above, the department has not conducted any kind of regular performance evaluations of its staff. The consultants are troubled with an environment where police officers can be assigned to duty without any formal assessment of skills, competence, and job

⁴² Cottage Grove Police Department

related performance that meet the department's or community's expectation for police service. The Village's Personnel Policy, which requires performance evaluation, should have served as a check-and-balance to communicate the need for the department to conduct evaluations. The Chief's use of a performance improvement plan (PIP) in 2013 was the only meaningful non-probationary performance assessment. It was a focused approach that included goals for improvement.

The department's job descriptions are a key ingredient to a meaningful and effective performance evaluation system. The department's draft job descriptions have not been issued. In the absence of a validated job description there does not appear to be a basis for job performance measurable criteria, as it simply does not exist. Normally, the job description is typically regarded as the "backbone" for an effective performance evaluation system. The FTO program documents dated May 2008 were adequately developed, and although dated, they provide for recruit and probationary officer performance evaluation.

Recommendations for Improvement of Performance Evaluations

The following recommendations are made, in no particular order of importance, with the intent the department can increase its effectiveness and provide a platform of clarity relating to departmental performance evaluations:

Recommendation #37 – Develop and implement a performance evaluation system that includes incorporating a job task analysis, job descriptions⁴³, measurable criteria for job performance, rater objectivity, and supervisory performance counseling for each sworn position in the department. Strong consideration should be given to include the components of the accepted and industry best practices.

Recommendation #38 – Develop an FTO staff training program to address performance evaluation that includes incorporating a job task analysis, job descriptions, measurable criteria for job performance, rater objectivity, and supervisory performance counseling and follow through components.

⁴³ Recommended in Job Description Section

Recommendation #39 – Develop and implement performance criteria relating to field training officer performance, to include officer’s knowledge, skill and ability to effectively train and recruit probationary officers.

Recommendation #40 – Provide for a tri-annual evaluation period, once every four months.

Recommendation #41 – Implement the date of the performance evaluation beginning with the staff member’s anniversary date of employment.

Recommendation #42 –Develop and incorporate performance evaluations for specialized assignments, i.e., evidence technician, firearms instructor, etc.

Recommendation #43– Develop and implement a policy that governs a personnel early warning system and process for all employees.

Rationale for Recommendations

Rationale for Recommendation #37: The development of a performance policy intends to ensure that all sworn officers are evaluated on their performance, and performance is evaluated based on objective performance measurement criteria.

Rationale for Recommendation #38: The development of an FTO training program intends to ensure there is unity among all FTO trainers relating to the performance evaluation process.

Rationale for Recommendation #39: The development of FTO trainer performance criteria intends to fill the gap that currently exists relating to FTO trainer performance evaluations and field training officer evaluation for competency.

Rationale for Recommendation #40: Changing the length and frequency of the performance evaluation period intends to provide a shorter period to facilitate a more relevant “performance window” for performance reviews, goal setting and monitoring. It also will help reduce the performance evaluation process as a “once-a-year” high stress process.

Rationale for Recommendation #41: Changing the date of the performance reviews to an officer's anniversary date intends to allow a rater (supervisory⁴⁴) to focus on an individual officer's performance, helps avoid an indirect comparison to other officers, and facilitates a more relaxed evaluation schedule and keeps the rater (supervisor) engaged in subordinate performance.

Rationale for Recommendation #42: The development of a specialized assignment performance evaluation intends to fill the gap that currently exists relating to specialized assignments evaluation for competency.

Rationale for Recommendation #43: The development of an early warning system intends to provide early intervention for employees whose job performance behavior triggers recurring minor misconduct issues.

Accepted and Industry Best Practices for Performance Evaluations

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Performance Evaluation Standards⁴⁵ Chapter 35 relate to written directives and procedures used to govern:

- performance evaluation system;
- annual evaluation;
- quarterly evaluation of probationary employees;
- evaluation criteria;
- unsatisfactory performance;
- employee counseling;
- rater evaluation; and
- personnel early warning system.

Benefits to the Police Department

There are several factors from an effective performance evaluation system that will benefit the department. Among those are:

- enhances both patrol officers' and supervisors' knowledge of an individual officer's policing

⁴⁴ Currently the Chief of Police

⁴⁵ Please refer to the CALEA standards manual for review in its entirety

practices;

- clarifies patrol officers' and supervisors' perceptions of their respective behavior in policing;
- redefines productivity requirements to include changes in the type, amount, and quality of work to be performed;
- builds consensus between and among officers and supervisors regarding each other's work responsibilities;
- improves an officer's level of job satisfaction with department operations;
- measures citizens' perceptions of the way in which police deliver service to the community; and
- generates a system of measurable, equitable accountability for staff.

Introduction of Promotional Procedures

Promotion denotes vertical movement in the organizational hierarchy from one rank classification or position to another, usually accompanied by increases in duties and responsibilities as well as salary. The procedures should be designed to improve the validity of the process and make the system less susceptible to court challenge. The evaluation and selection of personnel for promotion begins with the identification of employees who appear to have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities required to perform at that level.

Current Conditions of Promotional Procedures

Promotion Policies: At one historical point, the department had a promotional policy, Policy #16 Promotions; the policy was rescinded and cancelled on March 23, 2011. The department's process for police officer promotions is derived from the position allocation approval and delegated authority from the following governmental entities:

- Village of Cottage Grove.
- Town of Cottage Grove.
- Cottage Grove Joint Law Enforcement Agreement.
- Cottage Grove Police Commission.

The department has a history of officers having been promoted to supervisory positions as far back as 2003; however, those positions were vacated in 2011 and 2012.

During the 2014 budget process in the fall of 2013, the Chief made an effort to have a Deputy Chief position approved for a launch date in the last half of 2014. The Deputy Chief's position would likely be subject to promotion, provided there were qualified applicants. The officer recruitment in the fall of 2013 coincided with the Deputy Chief staffing. The process that started in the fall of 2013 was put on hold after the Village filed their letter of intent to dissolve from the joint partnership agreement.

The Cottage Grove Police Commission's ByLaws and Rules of Procedure, Section 6.03 have specified the components for: the candidate pool, posting promotional opportunities, minimum requirements, an examination procedure, a process to evaluate promotional potential, an oral examination, a promotional eligibility list, and probationary appointments.

Analysis of Promotional Procedures

The Cottage Grove Police Commission's ByLaws and Rules of Procedure relating to promotions are detailed and comprehensive. Although there has been little need for exercising the Commission's promotional procedure during the past 12-18 months, a clearly stated delegated role for the Chief of Police will go a long way in improving the department's role in managing the promotional process. In the absence of a departmental policy to govern promotions, employees may not feel that promotions are conducted in a fair, impartial and procedural manner. Personnel policies that govern promotions are key to ensuring each employee has an equal opportunity to compete for a promoted position in the agency.

Recommendations for Improvement for Promotional Procedures

Recommendation #44 – Develop a policy that creates and governs the department's role in promotions for the positions of Detective, Sergeant⁴⁶ and Chief promotions. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #45 – Contract with an employment consultant to assist the police commission or department in creating a promotional process that has validated job-related assessment tools.

⁴⁶ Position(s) are vacated and currently not staffed – include for the future growth of the agency

Rationale for Recommendations

Rationale for Recommendation #44: The development of policy intends to include all aspects of “best practices” to better formalize the department’s role to ensure promotion of the most qualified applicants to an investigative, command or supervisory position.

Rationale for Recommendation #45: The process of seeking the assistance of an employment consultant intends to ensure that the promotional assessment tools used are validated as job-related for use in promoting police officers in public employment.

Accepted and Industry Best Practices for Promotional Procedures

Commission on Accreditation for Law Enforcement Agencies (CALEA). Standards for Law Enforcement Agencies: The CALEA Promotional Standards⁴⁷, Chapter 34, relate to promotional directives and procedures used to govern:

- agency role in promotions;
- agency role authority and responsibility;
- promotional process described;
- promotional job relatedness;
- promotional announcements;
- eligibility lists; and
- promotional probation.

Benefits to the Police Department

The development and implementation of the recommendations will provide for procedures and practices that will significantly contribute to a more efficient, effective, and fair promotional process. Historically, there have been perceptions that promotions were handled without adequate rigor and were unfair. Formality will alleviate some of those perceptions and improve morale.

Additionally, properly developed written directives will include processes that will validate compliance with the Equal Employment Opportunity Commission Prohibited Employment Policies/Practices, Civil Rights Act of 1964, Title VII, Pregnancy Discrimination Act of 1978, Age

⁴⁷ Please refer to the CALEA standards manual for review in its entirety

Discrimination in Employment Act of 1967, Americans with Disabilities Act of 1990, Immigration Reform and Control Act of 1986, and U.S. Bankruptcy Code, Section 525.

Introduction to Patrol Function

The word patrol is used in its broadest sense. It is considered to be a primary law enforcement function and embraces much more than the act of patrolling. It is defined as a generalized function in which officers may be engaged in a variety of activities, which can range from traditional response to requests for service to alternate strategies for the delivery of police services.

The patrol function is the means by which most law enforcement agencies fulfill their primary mission. Police Departments often predict workload demands based on patrol procedures. In the case of a traditional reactive Department, patrol procedures relate to the response to calls for service, traffic enforcement and self-initiated activity. The patrol function is intimately tied to how a Department and the community view the mission of the police and what they should be doing. As that mission changes, so should the procedures and programs that support the mission.

In addition to commonly accepted policing and patrol operating practices, ideally an agency's guidelines should be considered and deliberately applied in the following areas:

- policing style and philosophy;
- service delivery philosophy;
- response time standards;
- supervision style and requirements; and
- community policing roles.

Current Conditions of Patrol Function

The Cottage Grove Police Department takes a traditional approach to policing, one that is driven by reported requests for service, reports of crime, and officer initiated activity. The patrol function is a stand-alone function under the supervision of the Chief. The Cottage Grove patrol function is the primary service delivery vehicle for the department's response to calls for service, traffic enforcement, preventative patrol, and related departmental ancillary services. The patrol function provides for an officer special assignment to augment the department's role and function. As an example, one officer has a special assignment for bartender license background investigations and annual alcohol premise inspections, and is a standard field sobriety testing instructor.

Department Patrol Policy: At one historical point, the department had a patrol policy, Policy #18.1 Patrol Coverage; however, the policy was rescinded and cancelled on March 23, 2011.

The department has several other policy documents that are aligned with the patrol function; they were all dated May 1, 2000, and are not current. Those policies are:

- 18.2 Special Purpose Vehicles and Animals.
- 18.3 Response to Routine and Emergency Calls.
- 18.4 Vehicle Pursuits.
- 18.5 Missing Persons Investigations.
- 18.6 Safety Restraining Devices.

The department has assigned 9 patrol officers to staff their patrol function (see staffing section) and is divided into three 8-hour shifts, providing 24 hours of coverage. The department does not have patrol districts or beats and the only formal established geographically based sectors are related to police records management system (RMS) call for service reporting separation for the Village and Town of Cottage Grove. The department uses an officer daily activity program to capture an officer's time and activity between the Village and Town. When an officer reports for work, he or she decides when and where he or she will patrol. If there are special circumstances or a particular issue, the department will allow use of a directed patrol model to address the issue (e.g., it allows an officer to focus on the specific problem until it is resolved).

Patrol Vehicles: The department has a fleet of eight (8) patrol vehicles, seven of which are marked vehicles. There are four Ford Crown Victoria Police Interceptor vehicles, two Ford Explorers, one Ford F-150 Pickup and one Ford Taurus. Each vehicle is equipped with the accoutrements that are typically found in a police patrol vehicle; however, each configuration of each unit is different and is dependent upon which contractor was hired to install the equipment. Rather than provide AED, rifles, Tasers, and laser speed detection equipment for each vehicle, officers sign them out from the squad room at the start of their shift. Each squad car is equipped with a dual radar antenna unit.

Roll Call: The department does not have a formal shift or roll call briefing. The Chief described that most officers are at work early and shift briefing is an informal exchange of information between the shift leaving and shift coming on duty. Most officers take their work breaks at the police department and there is an exchange of information then. During the time when the Chief is in the department, he provides his input for the officers. He also uses an email briefing strategy. There is

no documentation made regarding the items that were briefed, other than the Chief's email messages and printed copies of the office's daily activity sheets placed in the squad book.

Patrol Function Direction: The department has not created or implemented directives to govern the patrol function. The closest written directive relating to patrol accountability is the May 5, 2014 email from Chief Hughes modifying the Self-Initiated Field Contacts (SIFC) Standards to include traffic enforcement. There is little evidence to suggest that the majority of the staff is following the SIFC guidelines; however, in unique circumstances there has been an increase in activity. This is a modification to the same standards established by email on January 7, 2013. There is an informal understanding among officers that school zone monitoring is a priority.

Department K9 Program: The department implemented a police K9 program in March 2013 that has become popular with many residents of the Village and Town communities. The canine, LARZ, and the patrol officer handler were trained and certified through a Wisconsin-based K9 training academy. The program is supported through a series of fundraiser contributions for funding and vet services. The department has not issued a K9 deployment policy to govern the use of the K9. The K9 has been deployed within the Cottage Grove jurisdiction and mutual aid jurisdictions in Dane County. The K9 program is insured under the Village's general liability insurance carrier.

High Risk Patrol Training: The department's training in the area of high risk patrol functions of emergency driving and pursuit driving is through a training consortium consisting of Brooklyn, Blue Mounds, Cottage Grove and Bellville. The last emergency vehicle training occurred in November 2012. Upon the consultant's review of the mandatory pursuit reporting requirement, the Cottage Grove Police Department reported two pursuits in each year for 2011, 2012 and 2013. The Chief has not provided training relating to routine or non-emergency response to calls, e.g., silent runs⁴⁸ that are authorized by state statute and require a policy.

Analysis of Patrol Function

The consultants understand that a smaller police agency may not need the same scope and depth of policy as a larger agency to maintain an effective organizational component for a patrol function. However, the size, scope and complexity for delivery of a joint law enforcement responsibility for Cottage Grove require more than exists in its current form.

⁴⁸ Silent runs are police responses without the use of lights and sirens under certain circumstances.

Department Policy: The consultants were unable to locate the rescinded patrol coverage Policy #18.1 and it is unknown what the policy addressed. The other patrol policies noted above were reviewed. They are dated 14 years ago, and need to be reviewed, revised and implemented. The following policies have statutory compliance references which require the immediate attention of police administration. They are:

- 18.3 Response to Routine and Emergency Calls.
- 18.4 Vehicle Pursuits.

Upon the consultant's review of the above noted policies, they contained the statutory requirements, but overall they are 14 years dated, weak in substance and application and in need of police administration's immediate attention for revision. This is an area of high liability.

Patrol Staffing: The Cottage Grove Police Department patrol function is staffed with all but two sworn positions: the Chief and Detective. Normally an operational study of this nature addresses the department's patrol allocation. Inasmuch as the scope of the Cottage Grove Study included a workforce analysis and significant discussion on the IACP staffing model, duplicating that portion here is redundant and it will not add value to the substance of the report. Therefore, for an analysis of patrol staffing, please see the workforce and staffing section of this report.

Patrol Vehicles: The department's fleet of patrol vehicles is adequate for deployment under their current joint jurisdictional and organizational responsibilities. Some of the vehicles are high mileage and are used as back-up vehicles when necessary.

Roll Call: The department's roll call and shift briefing protocols need to be a formal process along with appropriate documentation regarding the details of the briefing. The use of email is acceptable, as long as there is some sort of acknowledgement of its receipt and understanding by staff. Ideally, the documentation of roll call should be of such substance that an officer can go "back-in-time" and retrieve the details of a specific briefing.

Patrol Function Direction: The current patrol direction for self-initiated field contacts is, at best, an informal request from the Chief of Police. It does not have the authority and performance accountability of a policy statement, nor are the requests taken seriously by the staff. There have been instances when patrol officers did nothing to comply with the Chief's orders in an effort to see how he would respond to them.

Department K9 Program: The department's K9 program launched without total consensus of the Village and Town Boards, but rather through the joint LEC approval. The K9 program has gained popularity within the community. The Consultants are troubled by the ongoing and continued use of the K9 without a deployment policy to govern all aspects of a K9 program and deployment. A draft policy is currently under review in the department.

High Risk Patrol Training: The department's training in the area of high risk patrol functions of emergency vehicle operation and pursuit training is in compliance with Wisconsin State Statute requirements. The Chief acknowledged that he has not provided training relating to an officer response for routine and non-emergency response to calls, silent runs, etc.

Recommendations for Improvement of Patrol Functions

Recommendation #46 – Immediately review, revise, develop, train, and implement policies directly related to (1) Response to Routine and Emergency Calls, and (2) Vehicle Pursuits. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #47 – Develop and implement a policy directly related to a formal roll call or shift briefing process. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #48 – Develop and implement a policy directly related to the patrol function to govern agency personnel. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #49– Develop and implement a policy directly related to the K9 program for operational guidelines for K9 deployment. Engage all officers in regular discussions involving the K9 program to assure continued interagency support. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #50: Develop and implement a policy directly related to squad car configuration, and hire the same vendor to configure each vehicle.

Recommendation #51: Create a formal tracking system for the assignment of the K9 on mutual aid to jurisdictions outside of the Village.

Recommendation #52 Empower the Chief to seek progressive disciplinary strategies with officers who knowingly ignore written directives and orders.

Recommendation #53: Formalize the squad replacement plan, which allows for replacement when a unit reaches 85,000 miles.

Rationale for Recommendations

Rationale for Recommendation #46: The policy development intends to bridge the 14-year gap that exists in the departments current Response to Routine and Emergency Call's and Vehicle Pursuits policies. At a minimum, the agency should classify calls for service as routine or emergency. These classifications should designate when emergency lights and sirens should be used and when traffic laws should be observed. The directive should address high-speed driving conditions and restrictions when responding to emergency calls. The procedure should also address the responsibility of responding officers while responding to emergency calls. The agency should have clear-cut policies and procedures for pursuits. All sworn personnel should be provided with this written directive. The department may wish to consider frequent discussion and review of these policies/procedures during shift briefings and/or in-service training sessions.

Rationale for Recommendation #47: The policy development intends to provide for a formal roll call and shift briefing protocol to improve internal communications in the department regarding daily patrol activity, with particular attention given to unusual situations, potential and actual police hazards, changes in the status of wanted persons, stolen vehicles, major investigations, and information regarding relevant community-based initiatives.

Rationale for Recommendation #48: The policy development intends to provide patrol-related guidelines for mobile data access, in-car audio/video, protective equipment, and personal equipment an officer is authorized to carry and use.

Rationale for Recommendation #49: The policy development intends to provide patrol-related K9 guidelines for canine supervision, handler responsibilities, training, police canine use of force, responsibilities in canine bite incidents, canine officer injury, building searches, school building searches (drug sweeps), tracking searches, lost or missing persons, mutual aid requests, canine general handling and canine care. Internal programming that uses scheduling resources should be

closely monitored and officers must remain engaged in specialized assignments so they are promoting them throughout the community.

Rationale for Recommendation #50: Officers rely on the equipment in their cars to save lives. If cars are configured differently, an officer's reaction under stress is affected slowing reaction time.

Rationale for Recommendation #51: K9 programs often come under criticism for liability and for their deployment outside of the jurisdiction. Careful record keeping will assure that elected officials understand the program's value and will allow for effective measurement for the municipality's return on investment.

Rationale for Recommendation #52: Small departments often employ unofficial strategies to encourage performance. Latitude is usually quite liberal, as officers in agencies of this size have close relationships; however, lawful directives generated by the Chief should be adhered to without contestation. This recommendation is emphasized further in this report under the discipline section.

Rationale for Recommendation #53: As the patrol area is reducing in size, the squad life will extend. After 85,000 miles, the cost of maintenance of a squad quickly becomes cost prohibitive.

Accepted and Industry Best Practices for Patrol Functions

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Recruitment Standards⁴⁹, Chapter 41, relate to patrol procedures used to govern:

- shift/beat assignment;
- shift briefing;
- special-purpose vehicles;
- responding procedures;
- pursuit of motor vehicles;
- roadblocks and forcible stopping;
- notification procedures;
- missing persons;

⁴⁹ Please refer to the CALEA standards manual for review in its entirety

- missing children;
- mental illness;
- patrol vehicles lights and sirens;
- equipment specification/replenishment;
- occupant safety restraints;
- authorized personal equipment;
- protective vests;
- protective vests/pre-planned, high risk situations;
- mobile data access;
- in-car audio/video; and
- license plate recognition systems.

Benefits to the Police Department

The benefits of an effective patrol function relates to assurances that police officers are properly trained and operate in high-risk situations under acceptable industry-based operational guidelines. A properly developed patrol function will provide officers with a body of policies and procedures to support an officer's scope of employment and professional conduct. By following these recommendations, the department will see a marked improvement in morale, which is currently considerably lower than the morale of comparable agencies.

Introduction of Recruitment and Selection Procedures

A task as important as the recruitment and selection of law enforcement personnel should be approached from a positive viewpoint. Agencies, through the authority of their respective governments and administrations, should identify and employ the best candidates available, not merely eliminate the least qualified. The benefits of effective recruitment and selection policies are manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient and effective services. The professional recruitment of law enforcement officers has embraced several important philosophical concepts. The first concept is the expectation that an agency will be an equal opportunity employer. Equal opportunity is the removal of barriers that prevent people from being treated fairly for employment purposes.

The second concept is the expectation that the agency's sworn workforce will be representative of the available workforce in the agency's service community relative to its ethnic and gender composition. If any group is underrepresented, the recruitment plan will include proactive steps to encourage members of that group to seek employment opportunities. It is important to note, the recruitment plan does not mandate hard quotas, such as hiring one female for every two males hired, nor is an agency expected to lower legitimate job-related hiring standards or criteria. Agencies are never expected to hire an individual who is not qualified to perform the duties of the job involved.

Current Conditions of Recruitment and Selection Procedures

The department's process for police officer recruitment and selection is derived from delegated authority from the following governmental bodies:

- Village of Cottage Grove.
- Town of Cottage Grove.
- Cottage Grove Joint Law Enforcement Agreement.
- Cottage Grove Police Commission.

The department has conducted recruitment and selection processes for two officers in 2011 and two officers (including Chief Hughes) in 2012. The spring 2013 patrol officer recruitment and selection process was put on hold because of the lack of quality applicants. The fall 2013 process was cancelled after the Village submitted its letter of termination of the joint agreement. Although at one historical point the department had a recruitment and selection policy, Policy #14 Recruitment & Selection, the policy was rescinded and cancelled on March 23, 2011.

The Cottage Grove Police Commission's ByLaws and Rules of Procedure have specified the components for general selection criteria, recruitment application processes, and examination processes. In concert with the Commission's processes, in June 2013 Chief Hughes authored a document entitled, 2013 Police Officer Selection Process, which was a modification from the 2012 selection process, for the Commission's consideration to manage the upcoming recruitment. The document is a step-by-step procedural approach to the recruitment and selection process.

Analysis of Recruitment and Selection Procedures

The Cottage Grove Police Commission's ByLaws and Rules of Procedure document provided to the consultants was a copy that included handwritten notations in certain sections of the document. Those notations appeared to be related to revisions and deletions of the existing content. Although the consultants understand that notes are just that – notes - the theme from the author would suggest the Commission's Bylaws are in need of a revision since adopted on October 7, 2010. As the Commission is organized under the authority of Section 2.2.5 of the Joint Law Enforcement Agreement (LEC), addressing those issues now, pending the Village's letter of intent to dissolve, may not be a wise use of resources.

The department has experienced limited turnover and the need for hiring over the past three years. The consultants reviewed the Chief's 2013 police officer's selection process and feel those recruitment and selection protocols are sufficient until the Police Commission reorganizes after the dissolution of the joint agreement.

Recommendations for Improvement of Recruitment and Selection Procedures

Recommendation #54: Develop and implement a policy that creates and governs patrol officer recruitment and selection processes for patrol officer vacancies. Strong consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Rationale for Recommendation

Rationale Recommendation #54: The policy development intends to include all aspects of "best practices" to better formalize the department's recruitment and selection of the most qualified applicants for patrol officer vacancies.

Accepted and Industry Best Practices for Recruitment and Selection Procedures

Best Practice #1 - Commission on Accreditation for Law Enforcement Agencies (CALEA).
Standards for Law Enforcement Agencies: The CALEA Recruitment Standards⁵⁰, Chapter 31, relate to recruitment procedures used to govern:

⁵⁰ Please refer to the CALEA standards manual for review in its entirety

- agency participation;
- assignment to recruitment;
- recruitment plan;
- annual analysis;
- equal employment opportunity plan;
- job announcements;
- posting locations;
- maintaining applicant contact; and
- application rejections.

Best Practice #2 Commission on Accreditation for Law Enforcement Agencies (CALEA). Standards for Law Enforcement Agencies: The CALEA Selection Standards⁵¹, Chapter 32, relate to selection procedures used to govern:

- selection process described;
- job relatedness for rating criteria or minimum qualifications;
- uniform administration of processes;
- candidate information about process;
- candidate notification on ineligibility;
- candidate records disposition;
- selection materials security;
- background investigations;
- training for background investigator;
- background records retention;
- polygraph examinations;
- polygraph examinations operator training;
- polygraph examination use of results;
- medical examinations;
- emotional stability and psychological fitness examination;
- records retention for medical and psychological examination; and
- entry-level probation.

⁵¹ Please refer to the CALEA standards manual for review in its entirety

Best Practice #3 The International Association of Chiefs of Police (IACP), Best Practices Guide, for Recruitment, Retention, and Turnover. The following excerpts⁵² from the best practice guide are recommended by the International Association of Chiefs of Police:

- recruiting sufficient numbers of qualified applicants;
- attracting potential employees is complex;
- agencies must view recruitment in a comprehensive manner; and
- the core values of the organization and the unique aspects should be clarified.

Best Practice #4 U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), and Law Enforcement Recruitment Toolkit⁵³: The following are recommended recruitment goals and strategies:

- to hire not merely enough people but the right people;
- going beyond racial, ethnic, and national diversity, police executives should seek employees who have expertise, such as computer skills;
- collaborate with other police agencies;
- engage the community;
- improve relations with external human resources and local officials;
- streamline the recruitment and selection process;
- tell the police story;
- enhance web outreach;
- enlist media support;
- reach out to the young;
- hire younger and older;
- hire transitional workers; and
- mentor applicants throughout the process.

Benefits to the Police Department

The benefits of effective recruitment and selection policies are manifested in a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient and effective services. The department's recruitment steps should assist them

⁵² Please refer to the IACP best practices publication for review in its entirety.

⁵³ Please refer to the COPS recruitment toolkit publication for review in its entirety.

toward the goal of approximating within the sworn ranks the demographic workforce composition of the community that it serves with regards to ethnic, cultural, racial, and gender makeup.

Introduction to Computer Equipment and Technology Systems

The world of law enforcement requires extensive access to technologies for accessing data, interpreting data and storing data. Police officers cannot perform their day-to-day duties without access to state-of-the-art highly functioning computer systems. Records as sophisticated as criminal records and as mundane as payroll records require integrated computer technologies. Staff who manage the computer systems must attend technical training courses in order to stay current on emerging technologies. Technology changes quickly and departments that recognize that have short- and long-term technology plans that marry their needs to needs of other Village departments. In the last 2 years, investments and upgrades have been made to the computer system.

Recommendations for Improvement of Computer and Technology Systems

Recommendation #55: Contract a consultant and evaluate all computer hardware and software in the police facility focused on functionality, storage space and interoperability.

Recommendation #56: Either reconfigure the existing camera system or integrate a camera system which covers all areas of vulnerability in building and in the parking lot.

Recommendation #57: At least biannually, carefully analyze your existing consulting contract to be certain the ongoing technical support to the computer system is adequate.

Recommendation #58: Closely evaluate the in-car laptop computers to determine if they are appropriately interfaced to the most vibrant and accessible intelligence systems.

Recommendation #59: Cross train an officer on the collection and preservation of digital storage procedures.

Recommendation #60: Contract for an "off-site" redundant backup for electronic records.

Recommendation #61: Update policies on technology, information collection, information dissemination, and information storage.

Recommendation #62: Relocate hard drives and telephone and computer equipment from their current location to a location that is well ventilated and can be secured.

Recommendation #63: In conjunction with a Village-wide computer replacement plan, rotate dated hardware out of the department.

Recommendation #64: In conjunction with a Village-wide computer replacement plan, make certain squad computers are configured correctly and that each unit is configured in the squad with current software and physically located to allow for adequate work space.

Recommendation #65 : When developing policies related to technology, make certain to emphasize "security" and "computer access" protocols.

Recommendation #66: Conduct an assessment of the staff's competency as it relates to computer use and dissemination requirements.

Rationale for Recommendations #55 through #66: A significant amount of staff time is invested in maintaining and updating the computer software and hardware systems. The storage area for the backbone of these systems is a closet with a hole cut in the door to ventilate it. Although this creative solution meets the immediate needs of the system, it creates a danger for accidental destruction of records and for fire. As many of the computer units have been "cobbled together," they do not function efficiently. Password protocols, security, replacement plans and data storage is extremely informal. The consultants were able to see visible passwords in a variety of areas in the work spaces. Although an effort has been made to establish security and to reduce liability through the placement of cameras in the building, the "dead spots" are prevalent.

Benefit to the Police Department

New equipment, updated software and support contracts will increase productivity and improve morale in the department. Updated policies and procedures that emphasize security and safety will lower liability.

Introduction to Criminal Investigation and Intelligence

The criminal intelligence function within each agency will provide the ability to gather, analyze, protect, and share credible and timely information. It will also provide intelligence to identify, investigate, prevent, deter, and defeat criminal and terrorist activities, both domestically and

internationally, as well as protect the security of our communities and preserve the rights and freedoms of our citizens. In smaller agencies, officers must be able to conduct a complete preliminary investigation, participate in an ongoing investigation and understand the importance of the timing of follow-up investigations. Criminal investigation activities should have clearly defined measures of performance which demand accountability for case resolution.

Recommendations for Improvement for Criminal Investigation and Intelligence

Recommendation #67: Develop a “case management” system that prioritizes and assigns cases to all ranks in the department based on their expertise.

Recommendation #68: Utilizing the case management system establish a routine approach to case monitoring focusing on low risk –high probability cases.

Recommendation #69: Continue to invest in “specialized training” for staff on high risk low occurrence criminal events (i.e., sexual assault, child abuse, computer crime, violent crime).

Recommendation #70: Cross train officers with an interest in specialized assignments (drug investigation and youth crime) with a goal of developing officers as investigators.

Recommendation #71: Develop a transparent case monitoring system which allows all staff to understand the progress being made on pending criminal investigations.

Recommendation #72: Adopt a weekly case analysis report which requires the Detective to report on case progress for all open cases. This reporting should coincide with the case management system and must be driven by measurable results.

Rationale for Recommendations #67 through #73: Consistent monitoring, adaptive referral and appropriate utilization of line staff will increase solvability rates. Officers should understand that they must pursue an investigation to either its conclusion or to the point where they have reached the depth of their expertise. The reporting and monitoring of case work has historically been informal and must be formalized. Effective pro-active strategies, including progressive discipline, should be considered to promote diligent well-documented case management.

Introduction to Job Descriptions

Human resource management literature utilizes many terms to describe work activities-job, position, duty, function, task, job element, job dimension, and responsibility - and analysts utilize the terms differently.

The term task analysis is used to describe a systematic, structured process for dissecting a job into its basic parts. In all forms, a task analysis entails the identification of the important or essential elements of a job. In most situations, this involves an identification of the important or essential work behaviors and the skills, knowledge, and abilities (SKAs) required for these work behaviors.

The results of a successful task analysis will provide the foundation for a wide variety of personnel, administration, and management functions. These functions include:

- developing job descriptions;
- establishing a job classification and compensation plan;
- providing a job-related focus for developing and implementing recruitment strategies;
- developing and validating hiring and promotion procedures;
- establishing spans of control;
- determining training requirements; and
- evaluating employee performance.

Furthermore, the comprehensive, objective data generated by task analysis can provide strong evidence in legal and judicial proceedings concerning hiring and promotion programs.

Recommendations for Improvement for Job Descriptions

Recommendation #73 – Develop and implement a job task analysis for each sworn position in the department. Consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Recommendation #74 – Develop and implement job descriptions that are based on a job task analysis of all sworn positions and non-sworn positions in the department. Consideration should be given to the accepted and industry best practices referenced in this study as a resource for policy development.

Rationale for Recommendations

Rationale #73: The development of a job task analysis intends to include all aspects of “best practices” to better formalize the department’s documentation of actual job tasks performed by an officer. The job descriptions are either non-existent, dated or not relevant to the current position.

Rationale #74: The development of a job description intends to include all aspects of “best practices” to formally represent the job components for each sworn position in the department. Performance evaluations that are given must be directly linked to the defined job description and not conducted using subjective requirements. The job description serves as the foundation for several other personnel management functions.

Accepted and Industry Best Practices for Job Descriptions

Commission on Accreditation for Law Enforcement Agencies (CALEA), Standards for Law Enforcement Agencies: The CALEA Classification and Delineation of Duties and Responsibilities Standards⁵⁴, Chapter 21, relate to directives and procedures used to govern:

- job task analysis; and
- job description maintenance and availability.

Benefits to the Police Department

The development and implementation of the recommendations will provide the department with the foundation for an effective personnel management and supervision system that includes; recruitment procedures, selection procedures, performance evaluations, field training programs, promotions, training strategies and special assignments. Lastly, the objective data generated by task analysis can provide strong evidence in legal and judicial proceedings concerning hiring and promotion programs.

Introduction to Evidence and Property Management

Evidence and property management are among the most important and difficult functions in a law enforcement agency. Effective evidence practices include maintaining a secure facility, assigning qualified staff to property and evidence functions, developing and implementing policy and procedures, disposing of property and evidence in a timely and legal manner and performing

⁵⁴ Please refer to the CALEA standards manual for review in its entirety

review and audits of property and evidence room procedures. Critical to these processes is the integration of technologies and systems that minimize labor and maximize accountability at all steps of the process.

Recommendations for Improvement for Evidence and Property Management

Recommendation #75: Continue the migration of evidence and property tracking utilizing bar coding technology to maximize accountability and minimize staff time.

Recommendation #76: Coordinate training efforts with ongoing policy and procedure development.

Recommendation #77: Cross train staff on digital evidence storage and evidence custodian responsibilities.

Rationale for Recommendations

Rationale for Recommendations #75 through #77: Effectively managed property and evidence rooms minimize risk for evidence deterioration and maximize employee efficiency.

Accepted and Industry Best Practices

The following resources provide additional information for law enforcement agencies on property and evidence room inventories, reviews, and audits.

- California Commission on Peace Officer Standards and Training (CA - POST)
CA - POST's Law Enforcement Property & Evidence System Audit Guide (2005) is a 60-page document providing resource tools, including references and background material, for completing property and evidence room audits. More information can be found at: http://lib.post.ca.gov/Publications/prop-evid_audit.pdf.
- International Association for Property and Evidence, Inc. (IAPE)
IAPE Professional Standards Section 15 (reviewed March 2012) covers inventories, audits, and inspections on pages 74–79. It is found at: <http://www.iape.org/pdfFiles/IAPE-standards-2-10.pdf>.
- Property Room Checklist: The article *An Impending Crisis: The Property Room is Full*, by William P. Kiley in the August 2008 Police Chief Magazine, contains a one-page property room checklist that can be used as a property and evidence room audit guide. The article is found at: <http://www.policechiefmagazine.org>.

Benefit to the Police Department

The evidence and property control processes in a police department have a direct link to the operational practices of the department. Investments in policy and training activities under this category assure long-term positive results in asset management and in evidence control.

Dissolution Considerations and Actions

For the Village of Cottage Grove, the detail-oriented approach to the planning process involved an extremely invaluable analysis of existing services and how they are delivered. This "process within the process" is probably one of the most beneficial results of dissolution planning. The consultants recommend it be done in every community - whether part of a dissolution evaluation or simply an initiative to increase local government efficiency. The differing perceptions of the role and value of local government are as diverse as the individuals who live in a community, and who may be strongly predisposed to either defend or condemn its existence. Regardless of the predilection of those considering the dissolution, everyone should agree that it is a difficult and extensive undertaking. Not only are there a multitude of detailed tasks and process requirements involved, but a secondary analysis of the financial impacts is also required. While these analyses alone might be daunting, they are merely compared to the greatest difficulty involved in a fair and honorable consideration of dissolution, which is establishing the assumptions upon which a dissolution plan will be based.

These assumptions include disposition of employees, of assets, and of liabilities going forward; continuation of services, service levels, and who should pay for which services; and whether the boards assuming responsibility will actually adhere to the plan. Most have heard it said that "the devil is in the details." This could easily be the subtitle of all dissolution plans. A commonly reported experience among those who participate in a dissolution process is a rapid and sweeping realization that follows initial involvement: "This is much harder than I thought."

That is because most any complex process can seem simple when discussed in broad, conceptual terms. Often the difference between concept and execution is an important realization for anyone discussing the merits of modifying the jurisdiction and scope of local law enforcement service. In an effort to address these issues, the consultants have prepared a series of recommendations that should serve as guidance for a specific action plan for legislative, administrative, and operational components relating to the partnership dissolution which is governed through the Cottage Grove

Joint Law Enforcement Agreement. Every effort was made to target known, measurable challenges; however, elected bodies must be aware that changes under some of these categories may result in a need to modify other documents and/or practices. Many of the practices and services associated with dissolution are long standing and institutionalized in the structures of both communities. Given the status of the department's operational components detailed in this report, the myriad of political issues that hamper effective police functions, the lack of equity in services based on the financial model and the need to create accountability for the municipal policing functions, it is prudent for the Village to pursue their path toward dissolution.

Legislative Considerations: Under this category, the consultants analyzed all modifications that must occur to existing ordinances, contracts and written legal agreements. Obviously it is prudent to use attorneys to follow through on these recommendations to assure that the modifications are legal and binding.

Recommendation #87: Contract an attorney to modify all ordinances and sub ordinances that relate to the shared police function placing the Police Department under the Village Board's oversight.

Recommendation #88: Issue a directive which dissolves the Police and Fire Commission effective December 31, 2014. Between now and December, modify the ordinance to create a new "Police Commission" and make appointments for five commissioners under Wisconsin State 62.13 (1). This will require a vote by the Village Board.

Recommendation #89: Reissue the oath of office to the sworn police officers empowering them as Village police officers. This would be done most efficiently in one ceremony.

Recommendation #90: Modify the indemnification clause in the union contract modifying the recognition clause recognizing a "Village Only" police department.

Recommendation #91: Draft an ordinance providing police powers to Village police officers.

Recommendation #92: Draft an ordinance modifying the Chief's reporting responsibility, with the Village President as the authority for policy issues and the Village Administrator having authority for day-to-day operational matters.

Recommendation #93: Either exercise the provision in the Chief's contract allowing for his resignation and severance or invest in the department and his professional development.

Recommendation #94: As part of the dissolution closeout, have the Village Attorney notify the Township in writing that although they are dissolved, the Town should maintain professional liability insurance to provide for ongoing civil liability for all acts of police officers that fell under the period of partnership.

Recommendation #95: Obtain a legal opinion on the implications of the statutory language for Sec. 178.25 – 178.33, Wis. Stats., titled “Dissolution of Partnerships.”

Recommendation #96: As part of the dissolution closeout, have the Village Attorney notify the Township in writing regarding any pending police officer disability and workers comp claims that were generated prior to dissolution, with an understanding that the shared liability for these challenges continues.

Administrative and Operational Components: There are several administrative and operational components that should be considered that are specific to the separation of services. Although they will have immediate impact, it is expected that it will take a period of time after the separation to negotiate and/or mediate unintended ramifications of the dissolution. It is assumed that the target date for these recommendations coincides with the contractual end date of December 31, 2014.

Recommendation #97: Separate and inventory all records dividing them into the categories of Village records and Town records. Make digital copies of all Town records which involve evidence, arrests or potential civil action. Return the originals to the Town officials with a requirement that they assume responsibility for storage, release and dissemination.

Recommendation #98: Separate and inventory all pieces of evidence and property. Take digital photos of the entire Town’s pieces of property and evidence, and provide the Town with the items.

Recommendation #99: Notify insurance carriers for the changeover of professional liability insurance and indemnification.

Recommendation #100: Renegotiate the Police Chief’s employment agreement to include the terms and conditions appropriate for the challenges presented in this report.

Recommendation #101: Notify appropriate agencies on modification of jurisdiction for the police department including but not limited to; Federal Bureau of Investigation and Wisconsin Crime Information Bureau.

Recommendation #102: Notify Dane County Sheriff's Office to modify jurisdiction maps and Dane County Public Safety Communications Center for their records management system.

Recommendation #103: Evaluate all active criminal investigations in the township and develop a plan to either migrate the investigations to Dane County Sheriff's Office or to continue service on cases in conjunction with a formal mutual aid agreement.

Recommendation #104: Develop a formal "mutual aid agreement" in accordance with the allowable provisions of Wisconsin State Statutes 175.46. Although it is anticipated that the Township will contract for services with the Dane County Sheriff's Office, mutual aid requests will be frequent over the first year. This agreement should include a provision for the "bill back" of continuing services (i.e., open criminal investigations in the township) and for new requests for mutual aid.

Recommendation #105: In accordance with other recommendations of this report, all department policies should be redrafted to include the new jurisdictional boundaries as part of this agreement.

Short Term Fiscal Impact (After 1-1-15): This highlights the immediate fiscal impacts of dissolution.

Recommendation #106: Relocate policing facility as soon as practical with an understanding that the current lease agreement ends on January 1, 2015. The current facility has a number of deficiencies including but not limited to:

- no legal temporary holding area for arrested persons;
- no interview room for juvenile persons or for crime victims;
- broken and inadequate bathroom facilities;
- commercial-grade lighting which is not conducive to officer work, with several fixtures in need of replacement and/or repair;
- no central fire, smoke or burglar alarm system;
- unsecure filing units which are not protected from destruction by fire or water;
- unsafe non-sworn area workspace which is not large enough for existing staff;
- compromised key control and lock systems;
- evidence and property area lack aggressive security protocols and there is open access to patrol room;
- inadequate kennel area for K9;
- insufficient meeting space;

- insufficient locker room space;
- building does not meet ADA accessibility requirements;
- building systems are deteriorating – HVAC, plumbing, roof, ceilings, windows, etc.;
- inadequate amount of secure parking;
- not designed to accommodate women; and
- not designed for modern technology and insufficient space for secured computer system.

Recommendation #107: Evaluate local real estate options to relocate the police department with a preference toward creating a shared municipal services facility.

Recommendation #108: Contract with an architect who specializes in police building space to assure the new facility is built with 20-year occupancy in mind.

Recommendation #109: Although addressed in other sections of this report, it is important to “maintain current staffing levels” until workload requirements can be evaluated against the demands of staff time associated with implementing recommendations of this report.

Long Term Fiscal Impact: These recommendations outline the long-term impacts of dissolution. The consultants have included the cost of dissolution.

Recommendation #110: Finance the new police facility creatively, with a focus on absorbing any increase in tax through capital investment.

Recommendation #111: In 2017, evaluate staffing levels using the model described in this report. Adjust staffing levels in accordance with new staffing levels. There will be attrition in staff between 2014 and 2017, and each position that becomes vacant should be carefully analyzed for replacement in accordance with workload demands of department.

Recommendation #112: Hire a mediator, preferably one who has financial auditing credentials, to negotiate the conditions of “split assets” in accordance with the agreement. As the Village does not have an asset management protocol, the value data for department assets is not reliable. Equipment, squads, etc. do not have “asset tags” so tracking the original values vs. the current depreciated value is not possible. Based on summary data provided by the police department, the following is a cumulative accounting of assets:

- Squads: Seven police vehicles which have an approximate blue book value of \$75,000. Police vehicles are typically sold at auction and the value ranges vary dramatically and are

dependent upon the unique condition of each vehicle. Replacement values would be considerably higher.

- Squad Equipment: Each squad is equipped with approximately \$22,000.00 in equipment, which does not include the squad camera units and laptops totaling \$15,400.00.
- Computer and Technology: The current value of squad laptops, surveillance equipment and computer units in the police department is approximately \$60,000.00. Replacement values would be considerably higher.
- Office Equipment and Furnishings: The majority of the office furnishings and equipment were donated. As their condition is far below acceptable industry standards, they have little to no value.

Estimated Value: \$150,400.

Recommendation #113: Many states have dissolution strategies which merely turn over assets and liabilities for past events to the newly formed government agency, which in this case will be the Village Police Department. For purposes of simplicity, it would make sense to negotiate the dissolution in a similar fashion.

END OF REPORT